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**INVESTIGATION OF COMMUNIST ACTIVITIES
(THE COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG
CASE AND AFFILIATES)—PART II**

HEARINGS

BEFORE THE

**COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES**

EIGHTY-FOURTH CONGRESS

FIRST SESSION

AUGUST 4 AND 5, 1955

PART II

INCLUDING INDEX

Printed for the use of the Committee on Un-American Activities



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COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American Activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

RULES ADOPTED BY THE 84TH CONGRESS

House Resolution 5, January 5, 1955

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress, the following standing committees:

* * * * *

(q) Committee on Un-American Activities, to consist of nine members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

17. Committee on Un-American Activities.

(a) Un-American Activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time, investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

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INVESTIGATION OF COMMUNIST ACTIVITIES

(THE COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE AND AFFILIATES)—PART II

THURSDAY, AUGUST 4, 1955

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities met at 10:15 a. m., pursuant to recess, in the caucus room, Old House Office Building, Hon. Francis E. Walter (chairman) presiding.

Present: Representatives Francis E. Walter and Edwin E. Willis.

Present also: Frank S. Tavenner, counsel; George C. Williams, investigator.

Chairman WALTER. The committee will come to order.

Mr. Tavenner, call your first witness.

Mr. TAVENNER. Mr. Milton J. Santwire, will you come forward, please?

The CHAIRMAN. Will you raise your right hand, please?

Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SANTWIRE. I do.

TESTIMONY OF MILTON J. SANTWIRE

Mr. TAVENNER. What is your name, please, sir?

Mr. SANTWIRE. Milton J. Santwire.

Mr. TAVENNER. Please spell your last name.

Mr. SANTWIRE. S-a-n-t-w-i-r-e.

Mr. TAVENNER. Mr. Santwire, you are familiar with the rules of this committee, are you not, permitting all witnesses to have counsel to accompany them?

Mr. SANTWIRE. Yes.

Mr. TAVENNER. Are you willing to proceed in the absence of counsel, as it is noted counsel is not with you?

Mr. SANTWIRE. Yes.

Mr. TAVENNER. When and where were you born, Mr. Santwire?

Mr. SANTWIRE. I was born in Windsor, Vt., May 21, 1915.

Mr. TAVENNER. Where do you now reside?

Mr. SANTWIRE. In Allen Park, Mich.

Mr. TAVENNER. Is that a suburb of Detroit?

Mr. SANTWIRE. It is.

Mr. TAVENNER. How long have you lived in the general area of Detroit, Mich.?

Mr. SANTWIRE. Since 1937.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. SANTWIRE. Through high school.

Mr. TAVENNER. Are you the same Mr. Milton Joseph Santwire who testified in the Smith Act cases in the city of Detroit in 1953?

Mr. SANTWIRE. Yes, I am.

Mr. TAVENNER. Have you at any time been a member of the Communist Party?

Mr. SANTWIRE. Yes.

Mr. TAVENNER. Will you tell the committee, please, when you first became a member?

Mr. SANTWIRE. I first became a member of the Young Communist League in 1939, and remained in the Young Communist League until 1943; was then a member of the Communist Party until December of 1953.

Mr. TAVENNER. During any part of that time, were you employed by the Federal Bureau of Investigation to assist the United States Government in obtaining information necessary for the Government in connection with Communist Party activities in the area of Detroit?

Mr. SANTWIRE. Yes.

Mr. TAVENNER. What were the circumstances under which that employment occurred?

Mr. SANTWIRE. I was approached in the summer of 1942. In October of the same year I started submitting information to the FBI.

Mr. TAVENNER. Were you a member of the Communist Party at the time that you were approached?

Mr. SANTWIRE. Yes.

Mr. TAVENNER. From that time until what date did you continue in your work for the Federal Bureau of Investigation?

Mr. SANTWIRE. December of 1953.

Mr. TAVENNER. Was your identity disclosed at the time of the trial of the Smith Act cases?

Mr. SANTWIRE. That is correct.

Mr. TAVENNER. To what groups or branches of the Communist Party in the area of Detroit have you belonged?

Mr. SANTWIRE. I belonged to a neighborhood club known as the Ben Davis Club of the Communist Party.

I belonged to what was known as Plastic Club, which is an individual club within the Ford section of the Communist Party.

Mr. TAVENNER. By Ford section, you mean a Communist Party group working in the Ford plant?

Mr. SANTWIRE. Yes; one of the many groups.

Mr. TAVENNER. Did you occupy any position in any of these clubs of the Communist Party to which you belonged?

Mr. SANTWIRE. Yes. I was dues secretary of one club. I worked on the literature committee of that same club. I was secretary of the club; worked on publicity. I was a member of the section committee of the Ford section.

Mr. TAVENNER. Mr. Santwire, the committee is now investigating Communist Party activities in connection with work done in behalf of the Rosenbergs. Will you tell the committee, whether or not the Communist Party in the area of Detroit was active in behalf of the Rosenbergs?

Mr. SANTWIRE. Yes; there were many people who became active in a committee on behalf of the Rosenbergs in Detroit.

Mr. TAVENNER. Are you aware of the existence of a group in Detroit known as the Detroit Committee to Secure Justice in the Rosenberg Case?

Mr. SANTWIRE. I am familiar with it to the extent that a committee did exist.

Mr. TAVENNER. As far as you know was the membership of that committee ever made public?

Mr. SANTWIRE. Never to my knowledge.

Mr. WILLIS. What was that question?

Mr. TAVENNER. Whether the membership of the Detroit Committee for Justice to the Rosenbergs was made public.

As a member of the Communist Party, did you learn the names of any officers of that organization, such as the chairman or secretary?

Mr. SANTWIRE. I never knew anyone with a title who was considered an officer of the committee. There were certain people who took leadership in it.

Mr. TAVENNER. What was the first knowledge you had of the interest of the Communist Party in the Rosenberg matter?

Mr. SANTWIRE. It was late in 1951 that I first heard through Communist Party circles that action was to be taken on behalf of the Rosenbergs.

Mr. SANTWIRE. Did you learn as to what type of action was to be taken?

Mr. SANTWIRE. Not until months afterward.

Mr. TAVENNER. What was it that you learned months afterward?

Mr. SANTWIRE. I had it related to me that a committee was being formed; that a committee had been in existence, and it was being formed for the purpose to secure activity on behalf of the Rosenbergs. Then a couple of months after that public meetings were held.

Mr. TAVENNER. This, then, was before the time the Detroit Committee for Justice to the Rosenbergs was actually having public meetings?

Mr. SANTWIRE. Yes.

Mr. TAVENNER. That information, you say you obtained in connection with your Communist Party work?

Mr. SANTWIRE. Yes.

Mr. TAVENNER. Will you tell the committee, please, what you recall about the activity of the Communist Party and to what extent it pressed the work that was being done in behalf of the Rosenbergs?

Mr. SANTWIRE. The party press in Michigan immediately seized upon this Rosenberg issue and made big headlines of it, various distributions of literature were made at factory gates, theaters, ball parks, even churches.

And the leadership of the party who was taking an active part in the leadership of this Rosenberg committee endeavored to secure any additional help that they could get in the name of and on behalf of the Committee To Secure Justice in the Rosenberg Case.

Mr. TAVENNER. What was the type of participation that the active Communist Party members gave in that work?

Mr. SANTWIRE. Well, in addition to attending meetings sponsored by the committee, they would distribute leaflets. One person might circulate in a neighborhood. Another person would circulate in a plant, in a factory, and secure funds, if possible, and help; even names on petitions, and things like that.

Mr. TAVENNER. You are speaking now of Communist Party members?

Mr. SANTWIRE. Yes.

Mr. TAVENNER. Will you tell the committee the names, if you recall, of active members of the Communist Party who engaged in that type of work?

Mr. SANTWIRE. There was Philip Halper. There was Sol Grossman, Anne Shore, Art McPhaul, Nelson Davis, Tom Crow. There were many.

Mr. TAVENNER. There were many others?

Mr. SANTWIRE. Yes.

Mr. TAVENNER. What is your basis for identifying those persons whose names you have given as members of the Communist Party?

Mr. SANTWIRE. I have attended hundreds of meetings with these people over a period of years.

Mr. TAVENNER. What kind of meetings?

Mr. SANTWIRE. Communist Party meetings, closed meetings.

Mr. TAVENNER. You mentioned the name of Anne Shore. Was she engaged in any other Communist Party activities besides that of assisting in the Rosenberg case?

Mr. SANTWIRE. Anne Shore has been involved in the leadership in all of the front groups of the Communist Party, to one degree or another. In the Civil Rights Congress, I don't know what her title was. She was a secretary.

Mr. TAVENNER. I have a letterhead of the Civil Rights Congress before me in which her name is signed "Anne Shore, director of organization."

Chairman WALTER. How does she spell her name?

Mr. TAVENNER. Will you spell the name Anne Shore, please?

Mr. SANTWIRE. A-n-n-e S-h-o-r-e.

Mr. TAVENNER. This was a circular letter, the heading of which is "Save the Rosenbergs."

I desire to offer the document in evidence and ask that it be marked "Santwire Exhibit No. 1," and ask that it be made a part of the transcript of the record.

Mr. WALTER. It is so ordered.

(Santwire Exhibit No. 1 is as follows:)

SANTWIRE EXHIBIT No. 1

**CIVIL RIGHTS CONGRESS
OF MICHIGAN**

918-19 Chorlevoix Bldg • 2033 Park Avenue • Detroit 26, Michigan • WOODWORD 1-6278

ARTHUR MOPHAUL
EXECUTIVE SECRETARYANNE SHORE
DIRECTOR OF ORGANIZATION

SAVE THE ROSENBERGS

WIRE EISENHOWER TODAY

Dear Friend:

The people of America can save the Rosenbergs. As we write you this letter another brief stay of execution has been granted to permit the attorneys for the Rosenbergs to make a new appeal to the United State Supreme Court.

Since President Eisenhower's savage denial of clemency, and, the revelation of the intervention of His Holiness Pope Pius XII, thousands of new voices are being raised to INSIST THAT PRESIDENT EISENHOWER RECONSIDER.

But this figure must be raised to millions if the lives of Julius and Ethel Rosenberg are to be saved.

There is something which each and every one of us must and can do. WIRE OR WRITE TO THE PRESIDENT. (The cost of wires is small. 81¢ for a night letter of 50 words, tax included. \$1.44 for a day letter of 50 words, tax included.)

Wires should be addressed to: President Dwight D. Eisenhower
White House
Washington, D.C.

Each of us should get at least five others to do the same.

We think the article in the "Labor Defender" (enclosed) tells the most urgent reasons why the lives of the Rosenbergs must be saved. While it is cruel and inhuman to murder the parents of two young children — and particularly when NO ONE HAS EVER RECEIVED such a penalty before — what is of paramount importance is that the future security of each and every one of us is wrapped up in the fate of the Rosenbergs. When two people can be electrocuted for "conspiracy to commit espionage", the charge against the Rosenbergs, and where no proof of actual deeds is necessary, then our unions, our organizations, our very own lives are in danger.

We firmly believe that a tremendous upsurge of demands, directed to the President, can mean the difference between life and death — can be the one single factor responsible for saving their lives — and the honor, decency and democracy which we all cherish.

Respectfully yours,

ANNE SHORE
Director of Organization

AS:sa

Mr. TAVENNER. You say she was active, in many Communist fronts?

Mr. SANTWIRE. All of them to some degree or another.

Mr. TAVENNER. You have said that the names of the officers of the Detroit committee for justice for the Rosenbergs were not made public so far as you knew. Do you recall whether there were any documents issued by that organization which carried the name of the chairman, the name of the secretary, as seems to have been customary in most areas?

Mr. SANTWIRE. No; to my knowledge there were never any officers, as such. There were, as I stated, people who did take leadership, but I never knew any of them having a title.

Mr. TAVENNER. If there were officers it was not made public?

Mr. SANTWIRE. That is right.

Mr. TAVENNER. Actually the committee has through its investigation discovered one evidence of the existence of officers, including the name of the officer.

The committee has a letter, a photostatic copy of a letter, signed by Pat Rush, secretary of the Detroit Committee for Justice in the Rosenberg Case, dated January 16, 1953, which was written to the Governor of the State of Michigan asking that he may add his name and high office to the plea for clemency for Ethel and Julius Rosenberg.

Mr. Chairman, I would like to introduce this document in evidence and ask that it be marked "Santwire Exhibit No. 2" for identification only and made a part of the committee files.

Chairman WALTER. Let it be marked and received.

Mr. TAVENNER. Are you personally acquainted with Pat Rush?

Mr. SANTWIRE. I don't recall ever meeting Pat Rush.

Mr. TAVENNER. I have another photostatic copy of a letter on the letterhead of the Detroit Committee to Secure Justice in the Rosenberg Case, under date of January 21, 1953, addressed to the Honorable Mennen G. Williams, Governor of the State of Michigan, from which I quote:

On January 13 we asked for an appointment so that we might briefly discuss with you the case of Ethel and Julius Rosenberg. We had expected to be in Lansing on Wednesday, January 21, 1953, and later realized that you probably would not have returned from your visit to Washington, D. C.

Our committee, therefore, has postponed its visit to Lansing to Thursday, January 27 at 11:30 a. m. We hope that it will be possible for you to give us a few minutes of your time.

Respectfully yours,

Mrs. LEO RUSH, *Secretary*.

I desire to offer that document in evidence and ask that it be marked "Santwire Exhibit No. 3" for identification only and made a part of the committee files.

Chairman WALTER. Mark it and let it be received.

Mr. TAVENNER. Investigation conducted by the committee shows that such a conference was held. The conference was not held with the Governor, but with one of his secretaries.

The committee staff has been able to procure photographs of the persons who appeared for that conference in response to the request by the secretary of the organization. I want to see if you can identify any of the persons appearing in the photographs as persons known to you to be members of the Communist Party. It is not my purpose to ask you whether you know them, but whether you know that they were members of the Communist Party. So I only want you to identify any persons from the photograph whom you know to be members of the Communist Party.

These photographs were taken at various angles and some of them with the backs of individuals to the camera and, of course, could not be identified. I will have to exhibit three photographs to you. Numbers have been placed above the photographs of each person.

I hand you the first photograph, which I will ask to be introduced in evidence, and ask that it be marked "Santwire Exhibit No. 4" for identification only and made a part of the committee files.

Chairman WALTER. It is so ordered.

Mr. TAVENNER. The person on the immediate left has the number "1" above her photograph. Can you identify that individual?

Mr. SANTWIRE. No.

Mr. TAVENNER. The person with No. 2 above the name, can you identify that individual?

Mr. SANTWIRE. No.

Mr. TAVENNER. When I say identify them, I mean identify as a member of the Communist Party.

Mr. SANTWIRE. I cannot.

Mr. TAVENNER. Will you examine the photograph of No. 3, the lady with her hand to her face, and state whether or not the picture is clear enough for you to identify that individual from the photograph?

Mr. SANTWIRE. No.

Mr. TAVENNER. Can you identify No. 4, the lady looking down.

Mr. SANTWIRE. No; I cannot.

Mr. TAVENNER. No. 5, the face is partially obscured, so I will not ask you unless you can see enough to identify it.

Mr. SANTWIRE. No.

Mr. TAVENNER. The person with the figure "6" above the photograph?

Mr. SANTWIRE. Yes.

Mr. TAVENNER. Whose photograph is that?

Mr. SANTWIRE. Ethel Jacobowitz.

Mr. TAVENNER. Will you spell it?

Mr. SANTWIRE. J-a-c-o-b-o-w-i-t-z.

Mr. TAVENNER. On what do you base your identification?

Mr. SANTWIRE. I have attended dozens and dozens of meetings at which she was present, closed meetings.

Mr. TAVENNER. Seven. Can you identify that individual?

Mr. SANTWIRE. No.

Mr. TAVENNER. Eight?

Mr. SANTWIRE. Yes.

Mr. TAVENNER. Who is that individual?

Mr. SANTWIRE. Lydia Mates.

Mr. TAVENNER. Is she the wife of David Mates who appeared before this committee a short time ago?

Mr. SANTWIRE. She is the wife of Dave Mates.

Mr. TAVENNER. On what do you base your identification of her as a member of the Communist Party?

Mr. SANTWIRE. She is one of the most active people in the Communist Party in Detroit, and front groups of the party.

Mr. TAVENNER. No. 9?

Mr. SANTWIRE. No.

Mr. TAVENNER. No. 10 is a man.

Mr. SANTWIRE. No.

Mr. TAVENNER. No. 11?

Mr. SANTWIRE. No.

Mr. TAVENNER. Is that because the photograph is not clear, showing merely a profile?

Mr. SANTWIRE. I can't see enough of the individual to positively identify her.

Mr. TAVENNER. You have identified out of that photograph definitely Nos. 6 and 8, Ethel Jacobowitz and Lydia Mates, respectively?

Mr. SANTWIRE. Yes.

Mr. TAVENNER. I desire to offer the second photograph in evidence and ask that it be marked "Santwire Exhibit No. 5," for identification only, and to be made a part of the committee files.

Will you examine it, please. It is taken at a different angle and showing a lesser group in the photograph. There are only two persons. The persons are so seated in the photograph that only one is facing the camera.

Mr. SANTWIRE. That is right.

Mr. TAVENNER. Who is that?

Mr. SANTWIRE. Ethel Jacobowitz.

Mr. TAVENNER. No. 2 in that photograph?

Mr. SANTWIRE. Yes, No. 2.

Mr. TAVENNER. Is she the same person you identified in the other photograph?

Mr. SANTWIRE. Yes.

Mr. TAVENNER. I hand you a third photograph, which I ask be introduced in evidence and marked "Santwire Exhibit No. 6" for identification only, and to be made a part of the committee files.

Chairman WALTER. It is so ordered.

Mr. TAVENNER. Will you state whether or not you can identify from that photograph the person marked No. 2 above the head?—would it appear to be the same person whose opposite profile appeared in the first photograph?

Mr. SANTWIRE. No. I would hesitate to identify her.

Mr. TAVENNER. From the photograph?

Mr. SANTWIRE. Yes.

Mr. TAVENNER. Will you examine No. 3, the lady partially shielding her face with her hand. Can you identify that individual?

Mr. SANTWIRE. Yes.

Mr. TAVENNER. What is her name?

Mr. SANTWIRE. Her name is Gert Schatz.

Mr. TAVENNER. Spell the last name, please.

Mr. SANTWIRE. S-c-h-a-t-z.

Mr. TAVENNER. On what do you base your identification of her?

Mr. SANTWIRE. She is one of the leadership in the party in Michigan. Her husband is—well, he is very, very active in not only the party, but since 1951 in the front groups, also.

Mr. TAVENNER. Will you examine the person marked No. 4 above her head? Who is that?

Mr. SANTWIRE. The person is Anne Shore.

Mr. TAVENNER. The person you identified a few moments ago as being active in the Rosenberg matter?

Mr. SANTWIRE. Yes.

Mr. TAVENNER. Are you able to identify No. 1 appearing in this photograph?

Mr. SANTWIRE. As a member of the Communist Party?

Mr. TAVENNER. Yes, sir.

Mr. SANTWIRE. No.

Mr. TAVENNER. The committee was successful in securing the names of some of those who took part in this conference from their signature

of a register. The name of one of those that signed the register was Helen Travis. Are you acquainted with Helen Travis?

Mr. SANTWIRE. Very well.

Mr. TAVENNER. Was she a member of the Communist Party?

Mr. SANTWIRE. Yes.

Mr. TAVENNER. On what do you base your identification of Helen Travis?

Mr. SANTWIRE. As a participant with her in many, many closed party meetings.

Mr. TAVENNER. Irrespective of whether or not you could identify another name from the photograph, let me ask you if you are acquainted with a person by the name of Joy Trachtenberg?

Mr. SANTWIRE. I am familiar with the name of Joy Trachtenberg, but I don't know the individual personally. The name Trachtenberg is commonly known within Communist Party circles—

Mr. TAVENNER. You identified Lydia Mates. Do you know whether she was also known as Lydia Mapes?

Mr. SANTWIRE. No, I do not.

Mr. TAVENNER. Will you tell us in a general way what her activity was in the Communist Party?

Mr. SANTWIRE. Lydia Mates was always active and a very likable person and was able to secure the activity of other individuals when others might have failed. She was especially active in the 12th Street area and that particular area consisted mostly in securing attention and activity on the part of other women on a community basis.

Mr. TAVENNER. The committee investigations developed that she was the speaker at this conference; that she was the one who was the speaker for the group at this conference at the governor's office.

Mr. Chairman, I think the record should show at this point that Mrs. Bereniece Baldwin testified that Mrs. Pat Rush, who has been identified as the same person as Mrs. Leo Rush, was chairman of the North Dexter Club of the Communist Party in Detroit.

Chairman WALTER. When was that?

Mr. TAVENNER. I am not certain as to the exact date. It was in 1952. That is all, Mr. Chairman.

Chairman WALTER. Mr. Santwire, you are excused with the thanks of the committee.

(Whereupon the witness was excused.)

Chairman WALTER. Call your next witness.

Mr. TAVENNER. I would like to call Eve Neidelman.

Chairman WALTER. Will you raise your right hand, please?

Do you swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Miss NEIDELMAN. I do.

TESTIMONY OF EVE NEIDELMAN, ACCOMPANIED BY COUNSEL JOSEPH FORER

Mr. TAVENNER. What is your name, please?

Miss NEIDELMAN. My name is Eve Neidelman.

Mr. TAVENNER. It is noted that you are accompanied by counsel.

Will counsel please identify himself for the record?

Mr. FORER. Joseph Forer, 711 14th Street NW., Washington.

Mr. TAVENNER. It is Miss or Mrs. Neidelman?

MISS NEIDELMAN. Miss.

MR. TAVENNER. Where do you reside?

MISS NEIDELMAN. Detroit, Mich.

MR. TAVENNER. How long have you lived in Detroit?

MISS NEIDELMAN. Forty years, and there was a break of 9 years when I lived in New York.

MR. TAVENNER. What was the period during which you lived in New York?

MISS NEIDELMAN. From 1929 to approximately 1938.

MR. TAVENNER. What was your employment in New York?

MISS NEIDELMAN. I worked for the Home Relief Bureau through the period of the depression.

MR. TAVENNER. A State or Federal position?

MISS NEIDELMAN. That was a city position, I believe. I also worked for the Charity Organization Society which calls itself something else at the present time.

I was secretary to Upton Close when I first went to live in New York.

MR. TAVENNER. What has been your employment in Detroit?

MISS NEIDELMAN. About 1940 I worked for the United Automobile Workers of America. I also worked for the Wayne County CIO Council.

MR. TAVENNER. During what period have you worked for the Wayne County CIO Council?

MISS NEIDELMAN. I don't remember the years exactly, but probably from 1941 to 1945 or 1946. I don't remember the exact period.

MR. TAVENNER. What was your other employment in Detroit?

MISS NEIDELMAN. For the UAW, for various locals of the UAW.

MR. TAVENNER. Are you so employed now?

MISS NEIDELMAN. Yes; I am.

MR. TAVENNER. Miss Neidelman—

(The witness confers with her counsel.)

MISS NEIDELMAN. I also want to state there was other employment both in New York and in Detroit on which I want to invoke the fifth amendment against self-incrimination.

MR. TAVENNER. During what period of time in Detroit was your employment of such type that you refuse to testify on the ground that to do so might tend to incriminate you?

(The witness confers with her counsel.)

MISS NEIDELMAN. I refuse to answer that for the same reason.

MR. TAVENNER. Will you tell the committee, please, what your full employment has been since 1950?

MISS NEIDELMAN. I worked for the UAW, as far as I can remember.

MR. TAVENNER. Have you had any other employment?

MR. FORER. Since 1950?

MR. TAVENNER. Since 1950.

MISS NEIDELMAN. Not that I recall. There was a short period when I was unemployed and had a number of jobs. I don't remember exactly when that period ended. That was after my employment with the Wayne County CIO Council.

MR. TAVENNER. Were you the private secretary to Elmer Johnson, State secretary of the Communist Party for district 7 in 1943?

MISS NEIDELMAN. I refuse to answer on the same basis, the fifth amendment.

Mr. TAVENNER. How were you employed in 1943?

Miss NEIDELMAN. I refuse to answer on the same basis.

Mr. TAVENNER. Miss Neidelman, what position, if any, did you hold on the Detroit Committee To Secure Justice in the Rosenberg Case?

Miss NEIDELMAN. I refuse to answer on the basis of the fifth amendment, as previously stated.

Chairman WALTER. Do I understand you to mean that if you admit that you were connected with this committee to aid the Rosenbergs you might be in danger of being prosecuted?

(The witness confers with her counsel.)

Miss NEIDELMAN. Sir, I am neither admitting or denying it.

Chairman WALTER. Were you connected with this committee?

Miss NEIDELMAN. I am sorry. I refuse to answer on the basis of the fifth.

Mr. TAVENNER. What was your residence address in 1953?

Miss NEIDELMAN. I don't recall, I moved in a recent period a number of times—

(The witness confers with her counsel.)

Miss NEIDELMAN. I believe at that time I lived at 3240 Blain, in Detroit.

Mr. TAVENNER. Have you ever lived at 3032 Burlingame or Bulingame?

Miss NEIDELMAN. I believe I did—no, I didn't. I don't remember living at Burlingame.

Mr. TAVENNER. Do you know what that address is?

Miss NEIDELMAN. No; I don't.

Chairman WALTER. What is it?

Mr. TAVENNER. I don't know, sir.

Did you ever have that address, 3032?

Miss NEIDELMAN. I don't recall having that address.

Mr. TAVENNER. Is it the address of a place of business?

Miss NEIDELMAN. No, sir; not that I know of.

Mr. TAVENNER. In 1953 did you have an address of 2123 Gratiot?

Miss NEIDELMAN. I worked at 2123 Gratiot.

Mr. TAVENNER. In what position?

Miss NEIDELMAN. I was in charge of the local union office.

Mr. TAVENNER. The committee's investigation has disclosed that after a meeting held at Parkside Hall on September 22, 1953, in Detroit, that is a meeting sponsored by the Detroit committee for justice in the Rosenberg case, there was found the outside cover of a package addressed to Eve Neidelman, 3032 Bulingame, Detroit, Mich. Will you examine a photostatic copy and state whether you recall having received the contents of such a package?

(The witness confers with her counsel.)

Miss NEIDELMAN. This doesn't register with me at all. I do not recall it.

Mr. TAVENNER. You do not recall it?

Miss NEIDELMAN. No.

Mr. TAVENNER. There appears on the envelope "Postmaster, this parcel may be opened for postal inspection if necessary," and then under it, "Box 2, 1050 Sixth Avenue, New York 18, N. Y." Do you know what place of business in New York had that address?

(The witness confers with her counsel.)

Miss NEIDELMAN. I don't recall.

Mr. TAVENNER. I show you a letterhead of the Committee To Secure Justice in the Rosenberg Case and ask you to look in the righthand margin at the top to see if there appears there exactly the same address, 1050 Sixth Avenue, New York 18, N. Y.; is that correct?

Miss NEIDELMAN. Yes, sir; it does so appear.

Mr. TAVENNER. Do you recall now having received a package from that address?

Mr. FORER. Are you talking about a package or this one?

Mr. TAVENNER. A package.

(The witness confers with her counsel.)

Miss NEIDELMAN. I refuse to answer on the basis of the fifth amendment.

Mr. TAVENNER. I desire to offer in evidence the photostatic copy of the document with the address of Eve Neidelman on it, and ask that it be marked "Neidelman Exhibit No. 1" for identification only and be made a part of the committee files.

Chairman WALTER. Mark it and let it be received.

Mr. TAVENNER. I also offer in evidence the letterhead of the Committee To Secure Justice in the Rosenberg Case, with the New York address, and ask that it be marked "Neidelman Exhibit No. 2" for identification only and to be made a part of the committee files.

Chairman WALTER. Mark it and let it be received.

Mr. TAVENNER. I hand you a photostatic copy of a similar envelope which was picked up at the Madison ballroom on June 7, 1953, after a meeting sponsored by the Committee of One Hundred.

This document is addressed to Eve Neidelman, 2123 Gratiot, Detroit. Will you examine it, please, and state whether or not you received that document?

(The witness confers with her counsel.)

Miss NEIDELMAN. I am sorry. I don't recognize this document.

Mr. TAVENNER. This document likewise has the notation "From Box 2, 1050 Sixth Avenue, New York 18, N. Y."

I desire to offer this document in evidence and ask that it be marked "Neidelman Exhibit No. 3" for identification only and to be made a part of the committee files.

Chairman WALTER. Mark it and let it be received.

Mr. TAVENNER. I hand you a third document addressed to Eve Neidelman, 2123 Gratiot, Detroit, Mich., and ask if you received that package. This shows that it was a package upon which a considerable amount of canceled postage appears.

(The witness confers with her counsel.)

Miss NEIDELMAN. I don't recognize it.

Mr. TAVENNER. Do you recognize your name?

Miss NEIDELMAN. Yes, I do.

Mr. TAVENNER. And your address?

Miss NEIDELMAN. Yes.

Mr. TAVENNER. Did you receive the package in the mail?

Miss NEIDELMAN. Not that I know of; not that I recall.

Mr. TAVENNER. This document also shows that it is from Box 2, 1050 Sixth Avenue, New York; is that correct?

Weren't you the person who received the propaganda material for the Detroit Committee To Secure Justice in the Rosenberg Case, which was sent from the national office in New York?

Miss NEIDELMAN. I refuse to answer on the basis of the fifth.

Mr. TAVENNER. Were you chairman of the Detroit Committee To Secure Justice in the Rosenberg Case?

Miss NEIDELMAN. I refuse to answer on the basis of the fifth.

Mr. TAVENNER. I desire to offer the last-mentioned document in evidence and ask that it be marked "Neidelman Exhibit No. 4" for identification only and be made a part of the committee files.

Chairman WALTER. It is so ordered.

Mr. TAVENNER. Are you acquainted with Lydia Mates?

Miss NEIDELMAN. I refuse to answer on the basis of the fifth.

Mr. TAVENNER. Are you acquainted with a person by the name of Ben Plotkins?

Miss NEIDELMAN. I refuse to answer on the basis of the fifth.

Mr. TAVENNER. Are you acquainted with a person by the name of Bob Taylor?

Miss NEIDELMAN. I refuse to answer on the basis of the fifth.

Mr. TAVENNER. In testimony before the Committee on Un-American Activities, May 7, 1954, Bereniece Baldwin was questioned. I asked the witness this question, this witness being Bereniece Baldwin:

Identify Curt Davis in the 1952 hearings.

Curt Davis has been a witness during the course of this hearing.

That is the hearing in Detroit in 1954.

We have heard of the Twelfth Street Club during the course of our hearing at this time. Will you give us the names of the officers of that club, please?

Mrs. BALDWIN. That was also located in the territory of 12th Street. Eve Neidelman was chairman, and she was succeeded by Ben Plotkins in 1946. Bob Taylor took care of the press work. Lydia Mates was organizer and executive secretary.

Is any part of that testimony by Mrs. Baldwin, in so far as it relates to you, false?

Miss NEIDELMAN. I refuse to answer on the basis of the fifth.

Mr. TAVENNER. Were you the chairman of the Twelfth Street Club Communist Party in Detroit, Mich.?

Miss NEIDELMAN. I refuse to answer on the same basis.

Mr. TAVENNER. Were you a member of the Communist Party in 1953—

Miss NEIDELMAN. I refuse to answer—

Mr. TAVENNER. Just a moment. [Continuing:] The date the exhibits were passing through the mails as shown from the exhibits?

Miss NEIDELMAN. I refuse to answer on the basis of the fifth.

Mr. TAVENNER. Are you now a member of the Communist Party?

Miss NEIDELMAN. I refuse to answer for the same reason.

Mr. TAVENNER. I hand you a document put out in Detroit under the auspices of the Detroit Committee for Justice in the Rosenberg Case. I ask you to examine it and see whether or not the name of any officer appears on it.

(The witness confers with her counsel.)

Mr. TAVENNER. You do not, do you?

Miss NEIDELMAN. No; I don't see any names.

Mr. TAVENNER. I hand you a second document at the bottom of which appears "Detroit Committee for Clemency in the Rosenberg

Case," and ask if you see the name of the president or secretary of the Detroit organization?

Miss NEIDELMAN. I see the name and address of a committee.

Mr. TAVENNER. What is that?

Miss NEIDELMAN. I see the name and address of the committee. I also see a reference to Pope Pius asking for clemency.

Mr. TAVENNER. I noticed you pointed that out, but now will you answer my question whether the name of any officer of the club appears on it?

Miss NEIDELMAN. I didn't see any.

Mr. TAVENNER. I hand you a third. This is the last one I will hand you. I ask you whether or not it shows that the distribution of it was sponsored by the Detroit Committee To Secure Justice for the Rosenbergs, without the use of the name of the president or secretary.

Miss NEIDELMAN. It says something about William Reuben speaking about the Rosenberg case and giving the facts of the case.

Mr. TAVENNER. Now, will you answer the question after you have made your voluntary statement?

Miss NEIDELMAN. I don't see any names.

Mr. TAVENNER. Now, Mr. Chairman, the staff of the committee has examined every document it can find from the Detroit area. It has not discovered an instance in which the names of the officers of the Detroit Committee To Secure Justice in the Rosenberg Case has been made public.

I want to show you another document. This is a document relating to the agenda of a conference held in October 1953 in the city of Chicago, in which a committee is described under the heading "Organization and Finance." I notice the first item appearing in this form, "One person from Detroit," without mentioning the name of the officer. Do you see that?

Miss NEIDELMAN. Yes; I see that.

Mr. TAVENNER. Why was it that in the city of Detroit public knowledge of the names of the officers were kept secret?

(The witness confers with her counsel.)

Miss NEIDELMAN. That is a loaded question. I never said that it was kept secret.

Mr. TAVENNER. Wasn't it kept secret?

Miss NEIDELMAN. What was kept secret?

Mr. TAVENNER. You understood the question, didn't you?

Chairman WALTER. Were the names of the officers kept secret?

(The witness confers with her counsel.)

Miss NEIDELMAN. I refuse to answer on the basis of the fifth amendment.

Mr. TAVENNER. They were kept secret because they were members of the Communist Party, weren't they?

(The witness confers with her counsel.)

Mr. WILLIS. Let me see the document.

Miss NEIDELMAN. You are still assuming they were kept secret and you have produced a number of letters here that were signed.

Mr. TAVENNER. Yes; we found one letter because the committee could not get a conference with the Governor without putting in writing who its secretary was.

Miss NEIDELMAN. I believe there were a couple of letters that were signed.

Mr. TAVENNER. Were you acquainted with Pat Rush?

Miss NEIDELMAN. I refuse to answer on the basis of the fifth.

Mr. TAVENNER. The only time that your committee went on record as showing the name of an officer was when it attempted to get a conference with the Governor of the State of Michigan. Isn't that the only time?

(The witness confers with her counsel.)

Miss NEIDELMAN. I refuse to answer on the basis of the fifth.

Mr. TAVENNER. Do you hold any official position with the present organization or committee for justice to Morton Sobell, or for clemency to Morton Sobell?

Miss NEIDELMAN. I refuse to answer on the same basis.

Mr. TAVENNER. Who are the officers of that organization?

Miss NEIDELMAN. I refuse to answer on the basis of the fifth.

Chairman WALTER. Do you know who they are?

Miss NEIDELMAN. I refuse to answer on the same basis.

Chairman WALTER. I am particularly anxious to know because I would like to ask why Sobell refused to take the witness stand in his own trial.

Mr. TAVENNER. Did you take part in the raising of funds for the Detroit committee for justice to the Rosenbergs?

Miss NEIDELMAN. I refuse to answer on the basis of the fifth.

Mr. TAVENNER. I have no further questions.

Chairman WALTER. You may be excused.

(Whereupon the witness was excused.)

Mr. TAVENNER. Mrs. Emily Alman, will you come forward, please.

Chairman WALTER. Will you raise your right hand, please?

Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth so help you God?

Mrs. ALMAN. I do.

TESTIMONY OF MRS. EMILY ALMAN, ACCOMPANIED BY COUNSEL, VICTOR RABINOWITZ

Mr. TAVENNER. What is your name, please?

Mrs. ALMAN. Emily Alman.

Mr. TAVENNER. It is noted that you are accompanied by counsel. Will counsel please identify himself for the record?

Mr. RABINOWITZ. Victor Rabinowitz, 25 Broad Street, New York.

Mr. TAVENNER. Where do you reside, Mrs. Alman?

Mrs. ALMAN. Englishtown, N. J.

Mr. TAVENNER. How long have you lived there?

Mrs. ALMAN. Approximately 2 years, sir.

Mr. TAVENNER. Prior to that, where did you reside, Mrs. Alman?

Mrs. ALMAN. 10 Monroe Street, New York City.

Mr. TAVENNER. How long did you reside in New York City?

Mrs. ALMAN. All my life.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been?

Mrs. ALMAN. I am a graduate social worker from Hunter College—

Mr. TAVENNER. Let us begin back with high school.

Mrs. ALMAN. I attended high school.

Mr. TAVENNER. What high school?

Mrs. ALMAN. Seward Park High School. I attended and graduated from Hunter College. I took graduate courses at the New York School of Social Work.

Mr. TAVENNER. What was the date of the completion of your graduate courses?

Mrs. ALMAN. You mean at the New York school?

Mr. TAVENNER. Yes.

Mrs. ALMAN. I believe in 1951, or 1952. I am not sure.

Mr. TAVENNER. Other than being a housewife, what has your employment been since 1950?

Mrs. ALMAN. My employment began in 1939 or 1940. I am not sure of the years. I worked as a social worker for a major portion of my working life.

Mr. TAVENNER. For the city of New York?

Mrs. ALMAN. I worked as a probation officer at the magistrate's court for 2 years.

Mr. TAVENNER. That is of the city of New York?

Mrs. ALMAN. Of the city of New York.

I worked as a recreation director for the aged at an old age home and later at a Young Men and Women's Hebrew Association of New York at 92d Street. I had other positions for very short periods. These were my primary positions.

Mr. TAVENNER. What is your employment now?

Mrs. ALMAN. Presently we are farmers.

Mr. TAVENNER. Do you occupy any other position of employment?

Mrs. ALMAN. No.

Mr. TAVENNER. What employment have you had beginning with 1952, for which you received compensation?

Mrs. ALMAN. I worked for the Y, as a recreation director until about May of 1952 when I left that position to work full time with the National Committee to Secure Justice in the Rosenberg Case. I continued there, including the summer months, I would say, 3 months, until the execution, and then about 6 months thereafter.

Mr. TAVENNER. During the time you attended high school were you aware of the existence of an organized group of the Young Communist League?

Mrs. ALMAN. Was I aware of the existence?

Mr. TAVENNER. Yes.

Mrs. ALMAN. Definitely. I was aware of the existence of many organizations.

Mr. TAVENNER. Were you connected with it in any way?

Mrs. ALMAN. No.

Chairman WALTER. May I ask a question at this point?

Did I understand you to say that for 6 months after the execution of the Rosenbergs you were a member of the National Committee to Secure Justice in the Rosenberg Case?

Mrs. ALMAN. No; I said I worked for the committee. We worked primarily on cleaning up some of the details of the Rosenberg case and preparing the Sobell case, which is now being appealed. We continued for a short period there, I would call it almost a transition

period, taking care of some of the details that were left, the funeral, the burial, and that type of details.

The CHAIRMAN. By transition, you mean from the justice for the Rosenbergs to justice for Sobell?

Mrs. ALMAN. In a sense you could call it that. The Rosenberg committee was concerned with Sobell all during its existence, so it is simply a question of where the emphasis was placed. We also prepared at that time, I believe, our application to the Senate Judiciary Committee asking for complete investigation of the entire case. I believe that was about the period when we were doing it. Of course, that covers both the Rosenberg and the Sobell aspects of the case.

Mr. TAVENNER. What salary did you receive during the period of time you were giving full time to the committee?

Mrs. ALMAN. I believe for 3 months, the 3 months until the execution, I received approximately \$35 a week and \$30 for expenses, which covered the cost of my baby sitter, taking care of my two children.

Mr. TAVENNER. Sixty-five?

Mrs. ALMAN. That is right.

Mr. TAVENNER. Wasn't your gross salary \$85 a week?

Mrs. ALMAN. Not during that period. The period I think you are referring to began afterward when I was working full time only and did not have a baby sitter.

Mr. TAVENNER. Now, let us get the record straight on this because it is confused. What was the date you began to receive salary?

Mrs. ALMAN. I couldn't tell you exactly; I don't know. I left the Y somewhere around May. I would have to check my dates. Up to that point I was working full time at the Y as a recreation director for the aged. I was not employed by the Y. I was employed by the Yorktown Neighborhood Club.

Mr. TAVENNER. According to your best judgment, when did your employment begin at \$65 a week with the national committee?

Mrs. ALMAN. As I said, I think it was in May.

Mr. TAVENNER. May of what year?

(The witness confers with her counsel.)

Mrs. ALMAN. Let's take it this way. We ran a large dinner in May, \$25-a-plate dinner for a thousand people. I worked on that dinner while I was also employed at the Y.

The work became too much for me, because I was trying to do too much, and, therefore, right after that dinner at which we had Professor Love speak on the case, right after that I quit my job at the Y and took \$35 a week salary and \$30 a week expenses, or perhaps it was reversed, I am not sure. I would have to check my income tax for that period, and I could let you know.

Mr. TAVENNER. My question was: That was May of what year?

Mrs. ALMAN. 1952.

Mr. TAVENNER. May 1952. You continued to receive that salary for about how long?

Mrs. ALMAN. Thirty, and thirty-five, approximately 3 months.

Mr. TAVENNER. Your salary then was increased to \$85 a week?

Mrs. ALMAN. No; I think that was a period on which I was not on salary, about 2 months, then a period when I went on salary, I think in October of 1952, I then went on salary again; between July

and October I was not on salary, I believe, and in October of 1952 I went on salary and remained, I believe, until March of 1953.

(The witness confers with her counsel.)

Mrs. ALMAN. My years are wrong. Let's start over again.

If the execution was in 1953, then it was in 1953 that I went on salary, and it was again in 1954 that I went off. Are we clear on that now?

Mr. TAVENNER. Let me see if we have it correct.

Are you changing the years to mean 1953?

Mrs. ALMAN 1953. Prior to that time I received no salary. At that time I must again insist my salary was 30, and expenses were 35 for a period of 3 months. Then we go into the fall of 1953 where I went on salary as a full-time organizer, and remained there until about March of 1954, October, November, December, January—yes, about that. I would have to check it with my own records.

Mr. TAVENNER. That is accurate enough.

Prior to May 1953 did you make any loans?

Mrs. ALMAN. Loans?

Mr. TAVENNER. Yes; of money to the organization? Did you have any financial transactions?

Mrs. ALMAN. Did I lend money to which organization?

Mr. TAVENNER. To the National Committee To Secure Justice in the Rosenberg Case?

Mrs. ALMAN. I don't think that I loaned any money to them during that period. I would have to check the records.

Mr. TAVENNER. Did you make any loans after May 1953?

Mrs. ALMAN. I personally never had money to lend.

Mr. TAVENNER. The committee's investigation discloses the issuance of a check bearing date of June 15, 1953, payable to cash in the amount of \$1,000, and that the check was endorsed "Pay to the order of Chase National Bank," and signed "National Committee To Secure Justice in the Rosenberg Case," that check was cashed and was redeposited to the credit of the committee and was marked "Return of loan, Emily Alman."

Can you describe that?

Mrs. ALMAN. I can't speak of that particular check, but let me say this: I handled pretty much, about \$300,000 during that entire period. The money that started to come in started to come in October 1951. Some of it came in anonymous, some of it came in in checks. People gave me money to give to the committee. People gave me loans to give—

Chairman WALTER. You haven't been asked that.

Mrs. ALMAN. You will have to let me answer it my way.

Chairman WALTER. Go ahead.

Mr. RABINOWITZ. Do you mind restating the question, and may I suggest counsel and his associate get together on what the question is.

Chairman WALTER. Never mind.

Mr. RABINOWITZ. Even I, who am an attorney, didn't understand the last question, and I don't understand how the witness can.

Chairman WALTER. I think everybody did but you.

Go ahead and ask another question.

Mrs. ALMAN. Do you want another question because I can't—

Chairman WALTER. We withdraw it. A moment ago you said you never loaned the committee any money. Now you are asked about a check that contains the endorsement—

Mrs. ALMAN. You withdrew it before I could answer it. Are we clear on that?

Chairman WALTER. I am asking another question.

Mrs. ALMAN. You can ask another question, but be sure you withdraw it before you wait for an answer.

Chairman WALTER. You were asked about a check that contained the notation "Return of loan." Did you make a loan to the committee?

Mrs. ALMAN. I stated I did not make any personal loans to the committee. If you would care to let me answer the question, I could. If you withdrew the question, that is your privilege.

Mr. TAVENNER. The committee's investigation shows that on September 1, 1953, a check for \$500 was issued payable to cash, that was endorsed by Emily Alman, and that that check was cashed. There is no further notation.

Mr. ALMAN. May I ask you, are you going to withdraw that question, too, when I try to answer it? Because I won't even try. I can answer the question, but I have to be permitted to answer—

Mr. TAVENNER. Answer the question.

Mrs. ALMAN. Let me continue. I received moneys from people and lent it to the committee in their name. I received the moneys and lent it to the committee in my name. These moneys were returned to these individuals. The transactions took place through me. Personally I never had the money nor did I ever lend or take back any sums of that nature from the committee.

(The witness confers with her counsel.)

Mrs. ALMAN. The word might be that I was acting as an agent through which money was lent to the committee and returned to these people.

Mr. TAVENNER. Why were the loans made in such a manner?

Mrs. ALMAN. I assume a number of the people would not care to have their names either on the books publicly, privately, or any other way. That was their decision to make.

Mr. TAVENNER. The auditor's report of funds shows this. The highest salary paid was \$85 per week before tax deductions, the number of persons and staff varied from time to time, numbering at its height 10, of whom 7 were professional, and 3 technical.

The national office paid the salary of a full-time professional worker in Chicago and at various times paid the salaries of workers in Boston, New Jersey, and Washington, D. C.

Will you tell the committee, please, who the professional worker was in Chicago who was being paid by the national office?

Mrs. ALMAN. I cannot mention the name of the person in Chicago. I am invoking my rights under the fifth amendment and first amendment of free association. I invoke my right against self-incrimination on naming the name of the person in Chicago.

Mr. TAVENNER. Was it Josephine Granat?

Mrs. ALMAN. I repeat that under the first amendment I am permitted to see and talk to and associate with whom I please, and I re-

peat that under the fifth amendment I am protected against self-incrimination. I cannot mention the name.

Mr. TAVENNER. It is noted from the audit that salaries were paid in Boston. Who were the employees in Boston who were being paid by the national office?

Mrs. ALMAN. Salaries were paid to Boston through checks. They were all in our checkbook and accounted for by the auditor and by the Internal Revenue Department, which checked all our figures.

I, however, must repeat that I cannot under the first amendment mention the names of those people, and under the fifth amendment I cannot mention it because of reasons of self-incrimination.

Chairman WALTER. You say you cannot; you mean you will not; is that not it? You could if you would?

Mrs. ALMAN. I will accept the correction. I will not. However, I must repeat, it is all in our checkbook. Everything was paid with checks.

Mr. TAVENNER. Was Sue Koritz, the executive secretary of the local group in Boston, ever paid compensation by the national office?

Mrs. ALMAN. Our checkbooks would show who was paid by the national office. I cannot under the first amendment, which permits me, or I will not, and under the fifth amendment, discuss the name that you mentioned.

I will gladly discuss the funds of the national committee, which I was in charge of. I will gladly discuss how we got our money, how we spent our money. I will gladly discuss how the organization began.

Mr. TAVENNER. Apparently everything except how you paid the money out.

Mrs. ALMAN. I will discuss how I paid the money out.

Mr. TAVENNER. How did you pay the employees of the committee at Boston?

Mrs. ALMAN. Through checks.

Mr. TAVENNER. How much did you pay them?

Mrs. ALMAN. I would have to check my checkbook on that, but the figures all exist. There is no attempt to conceal them. I believe, if I am not mistaken, Boston took about \$35 a week for their technical worker. This is a belief; I am not sure. I would have to check the exact check on that. No salaries above \$85, and in the case of Boston I think it was approximately \$35 a week in Boston.

Mr. TAVENNER. Who was the executive secretary at Boston?

Mrs. ALMAN. I repeat under the first and fifth amendment I cannot, I will not, mention that name, but a check exists in the name in the checkbook.

Mr. TAVENNER. Was your correspondence directly with the individual or with the secretary of the local group in Boston relating to the payment of funds for Boston workers?

Or did you handle it through the executive secretary?

Mrs. ALMAN. I would have to check our correspondence and let you know just how it came about. Each one was different. You have to understand that there were committees throughout the entire country. Some were formal committees; some were simply gatherings of people. It is hard at this point without actually documenting it to tell you which ones had set up offices, which ones had officers in a

sense, and which were a group of people simply interested in doing this work. I would have to check.

Mr. TAVENNER. The auditor says you paid salaries of workers in New Jersey. Where were those workers located in New Jersey?

Mrs. ALMAN. Well, there were a couple of spots, if I am not mistaken. I believe that in Newark, yes; I believe Newark was the spot. I really couldn't say.

Mr. TAVENNER. You say there were probably others?

Mrs. ALMAN. Possibly. I think it was in Newark. There, again, it is in our checkbook, and it exists.

Mr. TAVENNER. Who was the chairman of the local group at Newark, N. J.?

Mrs. ALMAN. For the same reasons as I mentioned before, I will not discuss the names of the people in New Jersey, other than to say that they were paid through checks, all records exist.

Mr. TAVENNER. Was any of the money handled through Dr. Leonard Tushnet, of Newark, N. J.?

Mrs. ALMAN. According to the first amendment, who I associate with is sacred, first; and, second, under the fifth amendment, I cannot and will not incriminate myself.

Mr. TAVENNER. The statement of the auditor is that you paid sums of money to workers in Washington, D. C. How many different people were on the payroll of the national organization for Washington, D. C.?

Mrs. ALMAN. You mean altogether? I don't have the breakdown of that before me. I would have to check that, too.

Mr. TAVENNER. Was it more than one?

Mrs. ALMAN. I really wouldn't know. I really wouldn't. It could be one. It could be three. It couldn't be much more, since at the height we had only 7, or 3, or something of that nature. You have to understand that this last 2 years, during that period \$300,000 was received and spent, and this is done with the help of people; it cannot be done simply by one's self. Tremendous campaigns were going on; people were in Washington at that time and it took money and time.

Mr. TAVENNER. Can you give the committee any idea of the amount of money that was paid back into the local areas for salaries of workers?

Mrs. ALMAN. Let me put it this way: Moneys were received by the national office from all over the country. Some again from groups, some from committees, some from 1 or 2 individuals. The money was not earmarked in the sense that some came from here and so much from there. Nor was it spent that way. When we felt we couldn't get enough attention to some of the clemency pleas and came to Washington in large groups, naturally at that time more money was spent in this area. When we had a group of people in front of the White House for a vigil, naturally, during that period more money was spent in this area. This money would be coming back into this area, if you mean that.

Mr. TAVENNER. That is not what I am talking about.

Mrs. ALMAN. During that period, for instance, we might put on 3 or 4 technical workers for a period. The first vigil lasted about 2 weeks. For 2 weeks we might have 3 people on.

Mr. TAVENNER. I am not speaking of that. The report says that money was paid for the salaries of workers—

Mrs. ALMAN. At various times. That is my point.

Mr. TAVENNER. At various times in Chicago, in Boston, in New Jersey, and Washington, D. C.

Mrs. ALMAN. Again, that is my point. At various times, depending on what was taking place within the case.

Chairman WALTER. What was the total spent?

Mrs. ALMAN. For salaries? \$28,891.95, which was 9 percent of the entire moneys collected and spent.

Chairman WALTER. For what was the largest percentage spent?

Mrs. ALMAN. Largest percentage. You have 13 percent spent for legal fees and printing; 22 percent was the largest for printing of literature. That included this court record, which we printed in toto, we printed 10,000 copies of the court record verbatim, plus about 6 million pieces of literature, which included things like the New Evidence in the Case, Rabbi Cronbach's Appeal for Mercy, Central Methodist Church, or the Three Faiths leaflet, which mentions the three groups that had spoken for clemency, including the Pope's appeal.

Mr. TAVENNER. Tell the committee who it was on salary in the city of Washington.

Mrs. ALMAN. Again for the same reasons stated previously, the first amendment and the fifth amendment, I will not mention the names of these people.

Mr. TAVENNER. It was noted from an exhibit introduced that Don Rothenberg was spoken of as the Washington representative of the national organization. Was he on a salary, Mrs. Alman?

Mrs. ALMAN. For the same reasons previously stated, I cannot and will not mention—

Mr. TAVENNER. You will not say how much money if any you paid to Mr. Rothenberg?

Mrs. ALMAN. I will state this exists in check forms, no money was spent any other way, that these books were checked by the Internal Revenue Department, and I will further state I cannot and will not mention the name of the persons you suggested.

Mr. TAVENNER. I asked you how much money you paid Don Rothenberg, if any.

Mrs. ALMAN. I will state any moneys paid to anybody were paid by checks. No money over \$85.

Chairman WALTER. I direct you to answer that question.

Mrs. ALMAN. Again, under the first and fifth amendments I regret that I will not mention what you ask me to.

Mr. TAVENNER. Did you know Don Rothenberg to be a member of the Communist Party?

Mrs. ALMAN. I can only repeat that I will discuss myself, I will discuss my activities: under the first and fifth amendments I cannot and will not discuss the person you are suggesting.

Mr. TAVENNER. Have you ever been a member of the Communist Party?

Mrs. ALMAN. There, again, under the first and fifth amendments, I will not discuss—

Mr. TAVENNER. You just told us you would be perfectly willing to discuss yourself.

Mrs. ALMAN. I worked for 2 years on a case, I will discuss every minute of those 2 years with you. I will discuss the formation of this

committee, which was supposedly the reason you called these hearings, because you were interested in knowing——

Chairman WALTER. Mr. Tavenner, the committee will stand in recess to reconvene at a quarter after 1.

(Thereupon, at 11:15 a. m., the subcommittee was recessed, to reconvene at 1:15 p. m., same day.)

AFTERNOON SESSION, AUGUST 4, 1955

The subcommittee reconvened at 1:15 p. m., upon the expiration of the recess.

TESTIMONY OF MRS. EMILY ALMAN, ACCOMPANIED BY COUNSEL,
VICTOR RABINOWITZ—Resumed

Chairman WALTER. The committee will come to order.

Mr. TAVENNER. Mrs. Alman, at the time of the adjournment, I was asking you about the payment of salaries in Washington, D. C.

Was any salary paid to Mr. John Stone, who was one of the witnesses in this hearing?

Mrs. ALMAN. Again I have to invoke my privilege under the first and fifth amendments.

Mr. TAVENNER. It is our understanding from investigation that organizers from the national committee went out to organize local groups of the Committee To Secure Justice in the Rosenberg Case. Is that correct, that organizers were sent out to organize local groups?

Mrs. ALMAN. That is right. They were sent, I would say, pretty much across the country, 4 or 5 times, at least.

Mr. TAVENNER. Who were the organizers?

Mrs. ALMAN. Under the first and fifth amendments, I decline to answer who the organizers were.

Mr. TAVENNER. Who went to Boston and selected Herman Tamsky as chairman of the group with Sue Koritz as secretary?

Mrs. ALMAN. On at least one occasion I went to Boston. With reference to the names you are questioning me about, I invoke again the first and fifth amendments.

Mr. TAVENNER. Did you select the persons in Boston to head the local organization there?

Mrs. ALMAN. I went to Boston and I met with people who had written in to our committee that they were interested in our work. I had occasion to discuss the case with them, the facts in case with them, and I arranged at certain periods to send them the fact sheets in the case, the transcript of the case, the Columbia Law Review of the case, and some of the other material.

Mr. TAVENNER. Now, will you answer my question?

Mrs. ALMAN. Will you repeat the question?

Mr. TAVENNER. Will you read the question?

The Reporter (reading):

Mr. TAVENNER. Did you select the persons in Boston to head the local organization there?

Mrs. ALMAN. I would say no, I didn't select anybody. I met with people and I think between themselves they made the decision as to who would take the responsibility for receiving mail, who would take

the responsibility for setting up an office, who would take the responsibility for one and another of the things that had to be accomplished if one was to get the material out to people around Boston.

MR. TAVENNER. Was there any other representative or organizer of the national committee who assisted in setting up the organization in Boston.

MRS. ALMAN. Offhand, I would say yes. I think some of the other people in and around the national committee also went to Boston on different occasions. I know I went twice.

MR. TAVENNER. I am not speaking of different occasions. I am speaking of the time of the setting up of the committee which meant prior to the formation of it.

MRS. ALMAN. Let me put it this way: There wasn't any one committee necessarily in Boston. We would go up and meet at any one of a number of houses, speak to a group of people. That group might set itself up as a Boston committee.

In terms of when were there any one Boston committee, I couldn't even place the dates so I wouldn't know who was responsible for what you might call today the Boston committee.

There are committees in a number of the neighborhoods in and around Boston. I don't know the ones I was responsible for the organization of and other ones which others were responsible for the organization of.

There was no specific date where you could say "We have now formed a Boston committee." There were no charters; there were no forms. There was nothing of that kind, so I couldn't even pinpoint it if I wanted to.

I would like to say I set up as many committees as I could and whatever I did I hope worked out very well, but I couldn't say I necessarily set up a Boston committee or the Boston committee.

MR. TAVENNER. Were you aware that Herman Tamsky, the chairman of the Boston committee, and Sue Koritz, its secretary, were members of the Communist Party?

MRS. ALMAN. Let me say now I wasn't aware of anybody's beliefs. I am not referring necessarily to these two people. I could say of the thousands of people I spoke to, I didn't know—

MR. TAVENNER. I did not ask you about their political opinions or beliefs. I asked you about your knowledge of whether or not they were members of the Communist Party.

MRS. ALMAN. I had no knowledge of anybody's membership in anything.

MR. TAVENNER. Who were the organizers sent by the national committee to Boston?

MRS. ALMAN. As I said, I went. With the exception of myself, a number of people have gone, and I think the chances are that about three of us went altogether.

In reference to any names, which is what I assume you are asking me, I again invoke the first and fifth amendments.

MR. TAVENNER. Were they salaried employees of the national organization?

MRS. ALMAN. When I went I wasn't under any type of salary. I was working at a private job. Therefore, I would say for myself, No, I was not a salaried employee at that time.

Mr. TAVENNER. Were you the executive secretary of the New York State organization of the Committee To Secure Justice in the Rosenberg Case?

Mrs. ALMAN. I was the national treasurer and I believe for a while I was also the New York State, or State—frankly, we didn't draw any sharp distinction—I think it was the city—executive secretary. I was not on a salary at the time.

Mr. TAVENNER. Who were the other two persons who represented the national organization in the establishment of the local group in Boston?

Mrs. ALMAN. Again I invoke the first and fifth amendments.

Mr. TAVENNER. Who were the organizers that went to Cleveland to assist in the organization of the group there?

Mrs. ALMAN. I can answer there that I know at least 2 people or possibly not 2, I don't know. I know somebody went there. I was not the person, therefore I can answer as to whether I was there. Therefore, I can only again say I couldn't answer that question under the first and fifth amendments.

Mr. TAVENNER. You were treasurer of the national organization?

Mrs. ALMAN. That is right.

Mr. TAVENNER. You knew whom you were paying for services as organizers; did you not?

Mrs. ALMAN. I did.

Mr. TAVENNER. Then whom did you pay to represent the national organization in the organizational work done in Cleveland?

Mrs. ALMAN. I would have to check my balances to see, or, rather, my bankbook to see who actually got paid for what trip. However, I can say now I would not answer and will not answer under the first and fifth amendments, who was sent by our committee to Cleveland.

Mr. TAVENNER. Were organizers from the national organization sent to Chicago?

Mrs. ALMAN. Yes, they were.

Mr. TAVENNER. Who were they?

Mrs. ALMAN. Again, under the first and the fifth amendment I will not answer.

Mr. TAVENNER. Did you compensate them for representing the national organization in that organizational work in Chicago?

Mrs. ALMAN. I would say some were paid and some were not. When I took a trip to Chicago, I was not on a salary. I can answer for myself. Some were; some were not.

Mr. TAVENNER. How were your expenses paid?

Mrs. ALMAN. I think they paid the traveling fare and probably got \$4 or \$5 a day which was pretty much what we took for expenses.

Mr. TAVENNER. You say "they" paid. To whom do you refer?

Mrs. ALMAN. The committee as a whole.

Mr. TAVENNER. The national organization?

Mrs. ALMAN. That is right, the National Committee To Secure Justice in the Rosenberg Case.

Mr. TAVENNER. Did you send organizers to the city of Philadelphia?

Mrs. ALMAN. Yes, we did.

Mr. TAVENNER. Who were the persons sent there?

Mrs. ALMAN. Again I took at least one trip to Philadelphia to see people who had written in to the committee stating their interest in

the case. I spoke to them and in turn they did set up committees. I think that I was there.

Mr. TAVENNER. Was Mrs. Jean D. Frantjis one of those persons?

Mrs. ALMAN. Based on the first and the fifth amendments, I decline to answer that question.

Mr. TAVENNER. Were representatives of the national organization sent as organizers to Allentown, Pa., for work in organizing the local group there?

Mrs. ALMAN. Well, I did not go. I could not say for certain whether somebody did actually go there, or not. I would almost assume that somebody did, but I couldn't answer that with full knowledge.

Mr. TAVENNER. Did the national organization send representatives to Detroit to organize a local group?

Mrs. ALMAN. I couldn't tell you that in detail. I could say that they sent speakers perhaps to meetings there and that as a result of these meetings perhaps a committee or a group of people formed—as I said, I am not sure there was a formal committee in Detroit or just what form the committee did take. You must understand that there were a number of committees in each city. Some of whom worked together and some of whom perhaps did not. Some of the people formed themselves as a committee. Again there were no charters. We gave nobody a kind of official designation being part of the national committee. People simply got together and formed themselves as a committee and then they existed and we were aware of it.

In Detroit, I was not there. Possibly speakers were there for the meeting and possibly in that measure groups formed themselves.

Generally our contact would be with people who had written in to the committee and said they were interested in the facts of the case. Many were interested in the clemency aspect. Others were interested in what they considered the miscarriage of justice, and the facts themselves.

Mr. TAVENNER. Was Mr. John Stone the chairman of the local group in Washington, D. C.?

Mrs. ALMAN. On the basis of the first and the fifth amendments I decline to answer that.

Mr. TAVENNER. Was Ethel Weichbrod the executive secretary of the local organization in Washington?

Mrs. ALMAN. On the basis of the first and the fifth amendments, I decline to answer that.

Mr. TAVENNER. Did you send organizers from the national organization to Washington to organize a local group?

Mrs. ALMAN. I personally went to Washington; I personally spoke with a number of people. I gave them the facts of the case as I knew them. I brought them the transcript of the case. I discussed the details of the case with them, sent them material. They, in turn, organized themselves into a formal or informal type of committee.

Mr. TAVENNER. Did any other persons from the national organization assist in the organizing of that group in the District of Columbia?

Mrs. ALMAN. I believe so. As I say, I don't think it was all organized at any one time. Someone else may have visited the city and in turn organized another group or possibly got them all together to do more work.

Mr. TAVENNER. Who were they?

Mrs. ALMAN. Under the first and the fifth amendments I decline to answer that.

Mr. TAVENNER. Did you send organizers from the national party to Los Angeles?

Mrs. ALMAN. The National Committee To Secure Justice in the Rosenberg Case did send organizers to Los Angeles.

Mr. TAVENNER. Did you go?

Mrs. ALMAN. No, I did not.

Mr. TAVENNER. Who were the organizers?

Mrs. ALMAN. I decline to answer that under the first and fifth amendments.

Mr. TAVENNER. The committee has a leaflet published by the Los Angeles Committee To Secure Justice in the Rosenberg Case which names William Esterman as the chairman. Mr. William Esterman in this document is also given the title of chairman of the National Lawyers Guild of Southern California.

The committee also received testimony just a few weeks ago in Los Angeles that Mr. William Esterman was chairman of the Los Angeles Committee To Secure Justice in the Rosenberg Case. Did you know that he was chairman?

Mrs. ALMAN. People who worked as chairmen of the Rosenberg committees generally signed all their letters, put their names to leaflets, put their names to ads in the newspapers. As much as possible, no material left the office without at least 1, 2, or 3 people taking personal responsibility for it. So that I don't think you could find much material from the national office, or anywhere else, that did not carry the names of people who associated themselves openly and fully with the case. With respect to Mr. Esterman I invoke the first and the fifth amendments.

Mr. TAVENNER. Are you aware that Mr. William Esterman, an attorney in Los Angeles, has been identified before this committee by a number of witnesses as a member of a professional cell of the Communist Party composed exclusively of lawyers. These included an attorney by the name of David Aaron, who had himself been a member of that group, but who withdrew from it, by Marburg Yerkes, by William Israel, and by Milton Tyre. Are you not aware of that?

Mrs. ALMAN. I am aware of no such thing. I know nothing about the person you are discussing with respect to whatever you have been saying here. I know nothing whatsoever about it.

Mr. TAVENNER. How many organizers from the national committee took part in assisting in the establishment of the Los Angeles committee to secure justice for the Rosenbergs?

Mrs. ALMAN. Our exhibit here which I would like to, incidentally, submit as an exhibit in these hearings—that is our entire financial report—

Chairman WALTER. We have it.

Mrs. ALMAN. Fine.

We have here as an asterisk:

All told the committee sent some 10 organizers out in the field at one time or another during its 2-year campaign, trips for organizations and investigations ran from 3 days to 6 weeks, reaching hundreds of communities and covering hundreds of thousands of miles.

Mr. TAVENNER. Now, will you answer my question, please?

Mrs. ALMAN. Pardon me.

Mr. TAVENNER. Will you answer my question? That was not at all in response to my question.

Mrs. ALMAN. I would say from my own figures here that 10 organizers went out into the field.

Mr. TAVENNER. My question was how many took part in organizing the local group in Los Angeles?

Mrs. ALMAN. I am sorry, I didn't understand your question. I really couldn't say with full knowledge. I know I didn't. I don't know how many other people did.

Mr. TAVENNER. You stated earlier in your testimony that the \$500 check payable to cash and endorsed by you, that is the check of the national organization, represented a loan from some individual who made the loan through you. Was that money repaid to that individual?

Mrs. ALMAN. I would have to see what check you are referring to. If it states "return loan" on it, then I would say simply yes, it was returned to that individual.

Mr. TAVENNER. I advised you at the time there was no notation on that check as to any description as to the purpose of it.

Mrs. ALMAN. I would have to see the check and check the date. I would have to see what the check was for and under what circumstances. I don't know what you are reading there.

Mr. TAVENNER. I have given you information as to the date of the check, how it was payable, the fact that it was payable to cash.

Mrs. ALMAN. Mr. Tavenner, I signed and handled hundreds and hundreds of checks over a period of 2 years. If I had the check before me and if I had my records, perhaps I could reconstruct what that particular \$500 was for. At this moment I cannot.

Mr. TAVENNER. Did you handle hundreds of checks payable to cash and endorsed by you?

Mrs. ALMAN. I handled a considerable number. I think you would have to check through to see just what the check was about. I couldn't answer that with the slightest degree of knowledge at this time.

Mr. TAVENNER. How long did you continue as treasurer, national treasurer, of the Committee To Secure Justice in the Rosenberg Case?

Mrs. ALMAN. Until the committee went out of existence, which was, I believe, in October of 1953.

Mr. TAVENNER. At the time that you say it went out of existence in October 1953, was another organization formed known as the Committee To Secure Justice in the Sobell case?

Mrs. ALMAN. In October of 1953 Morton Sobell was in Alcatraz. At that time a group formed itself and called itself the National Committee To Secure Justice for Morton Sobell. To my knowledge they are working on the Sobell case trying to get a retrial and based on new evidence.

Mr. TAVENNER. Did that take place at a convention in Chicago in October 1953?

Mrs. ALMAN. Yes; it did.

Mr. TAVENNER. Did you become the national treasurer of that organization?

Mrs. ALMAN. No; I don't believe I did. I think that at that time I went on salary as a national executive secretary.

Mr. TAVENNER. Weren't you treasurer of the Rosenberg committee as late as October 19, 1954?

Mrs. ALMAN. No, I was not.

Mr. TAVENNER. I have a photostatic copy of the authorization card for the Chase National Bank of the City of New York which we obtained by subpoena duces tecum, which shows Emily Alman, treasurer, and that the account was closed on November 5, 1954. The date of the card was in 1952, but it shows that the account was closed out in 1954.

Mrs. ALMAN. When we received our first moneys, and this is in complete answer to your question, when we received our first moneys for the Rosenberg committee we had extreme difficulty in getting a bank to open an account. I personally carried money around for a period of 2 weeks trying to open an account in the name of the committee.

The account was opened at the Chase National Bank. At the time when the committee went out of existence and all its formalities, closed up its books, the Rosenberg committee, we tried to change our bank account at the Chase National Bank of the City of New York to the Committee To Secure Justice for Morton Sobell. At that time the bank informed us that they would not open an account in such a name; that the account as it stood, they would permit to continue, but they would not open a new account for us. I believe we tried, or somebody tried, from the national Sobell committee, to get a bank to open an account. This could not be accomplished. As a result we permitted this particular account to go on and handle the other funds. In terms of any formal position, I no longer considered myself the treasurer, naturally. The fact is that the account remained open in this name until such a time as it was formally closed up. I was not at that time treasurer.

Mr. TAVENNER. Were checks issued on that account signed by you as treasurer?

Mrs. ALMAN. They were for some time; that is right.

Mr. TAVENNER. For some time after October 1953?

Mrs. ALMAN. Yes. I couldn't say exactly when that stopped either, because there was a transition period when money was finally taken out of that account, and I don't know what the present financial arrangement of the present committee is. I couldn't say.

Mr. TAVENNER. During that period of time was the money which was raised in the Sobell matter deposited in the same account?

Mrs. ALMAN. That is right.

Mr. TAVENNER. So whether you were officially the treasurer or not, you were actually drawing checks on the account for both the Rosenberg and the Sobell cases?

Mrs. ALMAN. Well, no, there was no Rosenberg case any more. The Rosenberg committee had gone out of existence. The Sobell committee was drawing it. I was permitting my signature to be used for all checks.

Mr. TAVENNER. Whom did you permit to use your signature?

Mrs. ALMAN. Whoever was in charge of the Sobell committee's money.

Mr. TAVENNER. Who was that?

Mrs. ALMAN. I decline under the first and fifth amendments to answer that question.

Mr. TAVENNER. Who is the treasurer of the Sobell committee now, that is, the national committee to secure justice for Sobell?

Mrs. ALMAN. Again under the first and fifth amendments, I refuse to answer.

Mr. TAVENNER. What is the exact title of that organization?

Mrs. ALMAN. The National Committee To Secure Justice for Morton Sobell is the official name.

Mr. TAVENNER. Who are the other officers of that organization?

Mrs. ALMAN. Under the first and fifth amendments, I decline to answer that.

Mr. TAVENNER. Prior to the closing out of this account on November 5, 1954, was a bank account opened in any other bank?

Mrs. ALMAN. I have no knowledge of that matter.

Mr. TAVENNER. After the account was closed out on November 5, 1954, was a new account opened in the name of the National Committee To Secure Justice for Morton Sobell?

Mrs. ALMAN. I don't know. I had become a farmer by that time and was very busy on the farm.

Mr. TAVENNER. Are you now officially connected in any way with the National Committee To Secure Justice for Morton Sobell?

Mrs. ALMAN. At the present time, because I am terribly busy, I am unable to work with that committee or become or take any official part in it. As soon as I have the time I intend to devote much of my effort to the Sobell case.

Mr. TAVENNER. Have you held any position on that committee at any time?

Mrs. ALMAN. Yes, I did. At the formation of the committee, which as we checked through, was in 1953 and 1954—

Mr. TAVENNER. When did you terminate your relationship with the new committee?

Mrs. ALMAN. I became ill in March of 1954. At that period I terminated my formal relationship with that committee. I, however, continued my interest in the Sobell work and do to this day.

Mr. TAVENNER. Will you tell the committee whether in the transmission of money from local groups to the national group, was there any understanding that a percentage of the funds raised should be retained by the local group?

Mrs. ALMAN. It wasn't a question of understanding the percentages. I would say that the local groups generally kept enough money so that they could work locally, that they used other of their moneys to buy literature, most of which was published at the national committee, and that what they had left over was sent to the national committee. The national committee in turn might send money to a local group which seemed to be preparing a dinner or public meeting and needed some assistance. There was no formal division, no percentages set, no quotas set, or anything of that nature. People simply cooperated to the best of their ability. Tremendous amounts of funds came through no committee, merely through small contributions.

Mr. TAVENNER. Do you recall any situations where remittances were made to you in the form of one-half the amount raised?

Mrs. ALMAN. This might have happened. I really could not say. A local group might have said, "We are keeping half of this," or the

other thing. "You take the other half." They might have said, "You take half of the money to pay for the transcript which you bought or to pay for the leaflets you shipped to us."

I could not say under what circumstances one group might have said, "This is half." It could have happened. They could have said, "Here is a quarter or here is all of it," depending on what they would do after a public meeting, after a collection, depending on what they would do in their city at the time.

Mr. TAVENNER. Of course, there has been no audit made of the funds raised by local organizations, a part of which was sent to you?

Mrs. ALMAN. The only audit I know about was money which came in our office and was handled through our office.

Mr. TAVENNER. I think that is all, Mr. Chairman.

Chairman WALTER. The witness is excused.

(Whereupon the witness was excused.)

Chairman WALTER. The committee is in recess for 5 minutes.

(A short recess was taken.)

Chairman WALTER. Are you ready, Mr. Tavenner?

Mr. TAVENNER. Yes, sir. I would like to recall the previous witness, Mrs. Alman, for a moment.

TESTIMONY OF MRS. EMILY ALMAN—Resumed

Mr. TAVENNER. Mrs. Alman, I am not certain that I asked you specifically who the person was that made the contribution of \$500 that you thought might be the explanation for the check of \$500 which was referred to.

Mrs. ALMAN. I must insist that I would have to see the check and know the period before I could even answer. I don't know what check you are talking about. I would just have to see it or, at least, some record of it. I don't know. Maybe it wasn't a contribution. Maybe it was six thousand other things. I couldn't answer. I would have to know.

Mr. TAVENNER. You volunteered the information in explaining the check that persons made loans to the organization through you.

Mrs. ALMAN. That is right.

Mr. TAVENNER. Who were they?

Mrs. ALMAN. I decline to answer on the basis of the first and the fifth amendment. I would like to discuss the children's fund with you, because it was something that you have been raising for a number of sessions now, how much money was spent for the children and under what circumstances. Since you are inquiring of the funds, I would very much like to discuss that matter with you, if you will so permit.

Mr. TAVENNER. Did you keep any record of the contributors?

Mrs. ALMAN. There were receipt books for all moneys received, some of which carried the names of contributors, some of which were done anonymously. The money was sent in anonymously and it was so registered.

Mr. TAVENNER. Where is the record of those whose names were signed as contributors?

Mrs. ALMAN. At the present time the records do not exist. They existed through the accounting and through the time when the Internal Revenue Department studied our books for quite a period of time. They were in the office of the Internal Revenue Department for

many, many weeks. After that we were advised by our attorney that they were no longer necessary and I believe they were destroyed.

Mr. TAVENNER. With reference to the children, it has been noted in various publications issued throughout the country that a great deal of emphasis was placed upon the raising of funds for the children; isn't it a fact that the department of welfare was anxious to retain custody of those children?

Mrs. ALMAN. That is a kind of peculiar question to answer. I am not sure what you are asking me. Are you asking me about the department of welfare, or whether our committee called for funds for the children? Those are two separate things.

Mr. TAVENNER. I only asked you one question. That is whether or not the department of welfare was anxious to retain custody of those children?

Mrs. ALMAN. I really couldn't answer for the department of welfare. I would say that the children are not in the custody of the department of welfare today. That is, the children as far as their parents were concerned, and as far as anybody who was interested in them was concerned, that the children were never to be placed in the custody of the department of welfare, but were to be raised in a home like any other young American children.

Mr. TAVENNER. They were taken out of the custody of the department of welfare, weren't they?

Mrs. ALMAN. Yes, they were; and funds were raised for them and the children were placed in a private home. When they were in the care of the department of welfare they were living in a small, overcrowded little institution in the Bronx. This was hardly the type of upbringing anyone would want for two young boys. They were taken and placed with a private family.

Mr. TAVENNER. After they were taken out of that custody they were exhibited for propaganda purposes, weren't they?

Mrs. ALMAN. The Rosenberg children were never exhibited by anybody. The only time they were seen publicly was, I believe, 1 week before the execution. The committee had been in existence at that time. The children themselves were never used for fund-raising purposes until the execution date became very close and the parents felt they would like to know that a fund existed for their children.

Mr. TAVENNER. Wasn't one of them brought to the city of Washington?

Mrs. ALMAN. Both boys came to the city of Washington and presented a letter to the President just prior to the execution. They asked at that time for clemency for their parents. I believe this was a week before, or maybe 3 or 4 days before. Prior to that time, I repeat, those children were never used in any fact sheet, were never used in any leaflets. The funds for the children began shortly before the execution. It began because of the parents' tremendous concern for the future of the children. All funds were raised for the children separate from the committee. Our committee never used the children's names in raising money for any other work. As far as we were concerned, the work we were doing was for the children because it was to save their parents. However, we did not use them as an argument for raising that money.

Mr. TAVENNER. Was it not so used all over the country, by the local organizations?

Mrs. ALMAN. The names of the children for fund raising other than for the children specifically, no, it was used for the children. I cannot, of course, answer for every single letter written by every human being. I can only say that the national committee had a position on it, that the children were not to be exploited in any way, all the money that came in was to save their parents' lives, to get them a new trial. The money specifically for the children was always raised specifically for them. Again I can't answer for everybody, but I think everyone knew that was the committee's position at all times. After the execution we kept the children out of the public light and the children did not become a question of public concern until they were seized, first thrown out of Toms River, and then seized one night in an apartment. They then became public interest. Again the committee tried to see to it that the children's names be removed from the papers; that the children be permitted to live a quiet and normal existence, which is what we hope is happening to them at this time.

(The witness confers with her counsel.)

Mr. TAVENNER. I asked you a question earlier as to whether at any time you became a member of the Communist Party. Are you now a member of the Communist Party?

Mrs. ALMAN. I answer the same question with the same answer. I invoke my privilege under the first and the fifth amendments.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Chairman WALTER. All right. Call your next witness.

(Whereupon the witness was excused.)

Mr. TAVENNER. Mr. Dave Alman.

Chairman WALTER. Will you raise your right hand?

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ALMAN. I do.

TESTIMONY OF DAVID ALMAN, ACCOMPANIED BY COUNSEL, VICTOR RABINOWITZ

Mr. TAVENNER. What is your name?

Mr. ALMAN. David Alman. Former executive secretary of the National Committee To Secure Justice in the Rosenberg Case. I am prepared to discuss fully the origins of that committee, all the work that I did, and personally know of, the finances and where the money was spent.

Chairman WALTER. The counsel will ask you the questions.

Mr. TAVENNER. When and where were you born?

Mr. ALMAN. In New York City, March 29, 1919.

Mr. TAVENNER. It is noted that you are accompanied by the same counsel who accompanied the preceding witness.

What is your occupation or profession, sir?

Mr. ALMAN. I am a novelist and a farmer at the present. I have been in the past a social worker, a parole officer for the State of New York, a shipyard worker, a machinist, and mechanic.

Mr. TAVENNER. When were you parole officer in the State of New York?

Mr. ALMAN. I was parole officer approximately, I believe, in 1944.

Mr. TAVENNER. For how long a period of time?

Mr. ALMAN. Just about a year.

Mr. TAVENNER. What has been your employment since that time?

Mr. ALMAN. I might add by the way that I gained considerable experience in that job in reviewing testimony, in being able to judge it, and being able to make up my own mind as to the guilt or innocence of the people. It helped me considerably in making up my mind as to the innocence of Morton Sobell and the Rosenbergs.

Mr. TAVENNER. This committee is not here to determine the guilt or innocence of anyone. It is here to determine to what extent the Communist Party has been involved in this work and for other purposes.

Mr. ALMAN. If you will put specific questions to me, sir, as to what involvement there was, if any, with the Communist Party, I will answer them in a specific fashion.

Mr. TAVENNER. The first question is whether or not you have at any time been a member of the Communist Party.

Mr. ALMAN. I will tell you this, sir: No matter what reply I give to that question, you undoubtedly, or some other committee, will find some creature who will get up and swear under oath that I was——

Chairman WALTER. Will you answer the question?

Mr. ALMAN. I do not intend to place myself in a position where I have to reply to a lie of that kind and therefore, I plead both the first amendment, which guarantees me my right of association and speech, and the fifth amendment against being a witness against myself.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. ALMAN. I give you the same reply for the same reasons. The question as to whether I am a Communist has nothing to do with the issues.

Chairman WALTER. Just answer the questions that are asked.

Mr. ALMAN. I have to answer them in my own way.

Chairman WALTER. You have answered. You refused to answer on the ground of the first and fifth amendments.

Mr. TAVENNER. Mr. Alman, what has been your employment since 1944?

Mr. ALMAN. You would have to become specific on that. I have done public relations work.

Mr. TAVENNER. What employment did you obtain after severing your connection as parole officer in the State of New York?

Mr. ALMAN. I think for a period of time there was no employment because I was at that time at work on my second book and was able to live for a short while on the royalties that my first book brought me.

Mr. TAVENNER. Then what was your next employment?

Mr. ALMAN. Offhand, I don't recall, sir. But you may refresh my memory on it, and I will confirm the things that are true.

Mr. TAVENNER. Do you not know what your next employment was?

Mr. ALMAN. As I said, I did public relations work for people.

Mr. TAVENNER. What was your next employment? You don't have to generalize about that. You know perfectly well what it was.

Mr. ALMAN. I do not recall at this moment what my next employment was. If I had known you were going to ask me these questions, I would have refreshed my memory on it. I thought you were con-

cerned with the Sobell case and the Sobell committee. This committee gave me no notice at all of what it intended to ask me specifically as to my background, my occupation, my beliefs, or anything under the sun. I had to gather from the newspapers and sitting here in the last 2 days what sort of questions you were going to ask. Since my main concern is with the case itself, it is on that I have refreshed my memory.

Mr. TAVENNER. What was your next employment?

Mr. ALMAN. I tell you I do not recall at this moment what my next employment was.

Mr. TAVENNER. What is the next employment that you do recall?

(The witness confers with his counsel.)

Mr. TAVENNER. Mr. Chairman, I fail to see how a conference with counsel could possibly be of any legitimate assistance to answer a factual question like that. There is no legal question involved in a matter of that kind.

Mr. ALMAN. Counsel may have asked me a question. You don't know what he told me. A communication between himself and myself is a private one.

Mr. TAVENNER. But it would not be material to the question.

Mr. ALMAN. You don't know whether it is, or not.

Mr. TAVENNER. If it was not, he had no right to make it. You said he said something—

Mr. RABINOWITZ. I may have advised my client with respect to his legal rights as to that question.

Chairman WALTER. Don't admit you are employed by the Communist Party.

Mr. ALMAN. Are you charging that? The inference of that remark is that I was employed. Are you asking me that? Why didn't you ask me that question? I will answer it.

Chairman WALTER. I will say it outside where I do not have any immunity.

Proceed, Mr. Tavenner.

Mr. TAVENNER. What was the next employment after 1944 that you can recall?

Mr. ALMAN. To the best of my knowledge my next employment arose out of a very deep feeling that I have had for some time against capital punishment. There took place in Greece over a period of 2 days the execution of some 248 people, in Madrid, I believe it was.

Chairman WALTER. Madrid, Greece?

Mr. ALMAN. I am sorry, in Athens.

Chairman WALTER. I remember that. Where were you employed then?

Mr. ALMAN. At that time I believe I offered my services to the American Council for a Democratic Greece, and to the best of my recollection that may have been my next employment.

Chairman WALTER. Do you remember about when that was?

Mr. ALMAN. Well, perhaps 1947.

Chairman WALTER. You do not remember where you were employed between 1944 and 1947?

Mr. ALMAN. Offhand, no.

Mr. TAVENNER. What did you do for those years?

Mr. ALMAN. I explained I am a novelist. I have written three books and had them published. It may be that I held some jobs in that period. If I did, they were not, at least in my memory, for

any considerable period of time. I did free-lance work, both in terms of writing and in public relations, but the major part of my time, as I recall it, as of this moment, was in writing a book.

Mr. TAVENNER. What were the public relations jobs which you have twice mentioned you held about that time?

Mr. ALMAN. These were public relation jobs for individuals or around events. At this moment I cannot recall just what they were.

Mr. TAVENNER. Can't you recall for whom you worked on public relations?

Mr. ALMAN. I have had so many jobs in that period that it would just be impossible for me to pick out of my brain now the names of various individuals or companies for which I may have worked for a day or two in any special capacity.

Mr. TAVENNER. You said you worked on public relations work?

(The witness confers with his counsel.)

Mr. TAVENNER. It is a perfectly plain and a reasonable question to ask you for whom you worked.

Mr. ALMAN. And I have answered you, sir.

Mr. TAVENNER. No. You have answered only by saying that there were so many that you could not recall.

Mr. ALMAN. I told you that I did not work steadily in that period, sir. I was writing a book. Unless there is something sinister in writing a book, then I cannot understand the purpose of your question. If you have any information there that I worked for this outfit or another outfit, you ask me the question and if it is true I will confirm it. This business of playing a game is nonsense. If you have information as to whom I worked for, I will confirm it if it is true. We are not playing games here. Two people went to death and a man is in Alcatraz for 30 years and we sit here playing this game. You asked me a question and I answered it to the best of my ability. I will continue to do so.

Chairman WALTER. You have made a very careful study of this Sobell case?

Mr. ALMAN. Yes.

Chairman WALTER. Why did Sobell not take the witness stand and deny his guilt?

Mr. ALMAN. Sobell did not take the witness stand, and I hope the lawyer here forgives me because his lawyers advised him wrongly, in my opinion. He subsequently supplied an affidavit to that effect.

Chairman WALTER. Why did the Rosenbergs invoke the first and fifth amendment when they were asked questions during their trial?

Mr. ALMAN. Mr. Rosenberg had been fired from Government employment at one time on an allegation of Communist Party membership. He at that time submitted an affidavit denying that there was such membership. At the time of the trial, the allegation of conspiring to commit espionage was so ridiculous in the opinion of Mr. and Mrs. Rosenberg and their attorney, that what they feared was not a sentence on that charge, but they feared a perjury sentence if some stool pigeon or person who was prepared to lie on the witness stand would call them members of the Communist Party.

Chairman WALTER. So, rather than be confronted with the prosecution of perjury, they went to the electric chair?

Mr. ALMAN. No. Are you saying that their refusal to state that they were not members of the Communist Party is what sent them to the

electric chair? As a matter of fact, to some extent, you are right. It was not the evidence. There was no evidence of guilt against them; there was a lot of hysteria about their being Communists. That is what sent them to the electric chair and a lot of nonsense about Sobell being a Communist and being an espionage agent. That is what sent him to Alcatraz for 30 years. You are right on that, and I agree with you, sir.

Chairman WALTER Proceed.

Mr. TAVENNER. You stated you took employment in connection with this matter in Greece in 1947. For whom did you work or by whom were you employed?

Mr. ALMAN. The American Council for a Democratic Greece, I believe is its name.

Mr. TAVENNER. How long were you so employed?

Mr. ALMAN. I don't recall offhand. It might have been 6 months; it might have been 8 months.

Mr. TAVENNER. What was your next employment?

Mr. ALMAN. I cannot recall that, sir, at the moment. If you want to give me time to try to refresh my memory, I will try.

Mr. TAVENNER. That was in 1947. You said for 6 months, it was the latter part of 1947 or beginning of 1948?

Mr. ALMAN. Something in that nature, of that period; yes, sir.

Mr. TAVENNER. Are you aware of the fact that the American Council for a Democratic Greece was cited by the Attorney General of the United States as subversive and Communist?

Mr. ALMAN. I have not studied the Attorney General's list to the extent of being familiar with every organization that is cited.

Mr. TAVENNER. Were you aware of that citation as to that organization?

Mr. ALMAN. I cannot recall. Are you asking me whether that organization was on the Attorney General's list at the time of my employment, sir?

Mr. TAVENNER. It was on the list in 1948.

Mr. ALMAN. Are you asking me whether it was on the list at the time of my employment?

Mr. TAVENNER. These citations do not refer necessarily to the date on which the Attorney General wrote the letter citing it. It dates back to the origin of the organization and would, of course, include the year 1947.

Mr. ALMAN. What is your question, sir?

Mr. TAVENNER. My question now is, what was your next employment after termination of your position with the American Council for a Democratic Greece?

Mr. ALMAN. Let me try to bunch some of these employments together. I cannot tell you specifically at this moment which came first, although, as I said, if you want to give me some time to think about it, I will try to unravel it. I became concerned and interested in what became known as the Trenton Six case, in which six Negroes of Trenton, N. J., were charged with murder and so convicted and sentenced to die.

Mr. TAVENNER. By whom were you employed?

Mr. ALMAN. I became interested in that case, and I might add that subsequently four of those men were retried and found innocent.

Chairman WALTER. By whom were you employed, is the question?

Mr. ALMAN. At that time I became employed by the Civil Rights Congress of New York.

Mr. TAVENNER. How long were you employed by the Civil Rights Congress?

Mr. ALMAN. Again, I will say for a period of about 6 months.

Mr. TAVENNER. What was your next employment? Let me ask you this, first: What year was that employment with the Civil Rights Congress?

Mr. ALMAN. I do not recall, but my guess is that it was sometime in 1949, but that is a guess.

Mr. TAVENNER. Were you aware that the Civil Rights Congress had been cited as subversive and Communist by the Attorney General, Tom Clark?

Mr. ALMAN. May I ask whether they were cited at the time of my employment?

Mr. TAVENNER. Will you answer the question?

Mr. ALMAN. I don't know what your question is. Are you asking me when I was working there they had been cited by the Attorney General, whether I knew it at that time?

Mr. TAVENNER. That was my question.

Mr. ALMAN. At the time I worked for them?

Mr. TAVENNER. Yes.

Mr. ALMAN. I do not believe at this moment that I was aware of that, although I might add that my interest in the Trenton Six case would have surmounted the citation on the Attorney General's list, because my concern was with justice and not pinning labels on either me individually or organizations.

Mr. TAVENNER. It was cited by the Attorney General on December 4, 1947.

Now, what was your next employment?

Mr. ALMAN. I do not recall that. You see, there was a period in which I again dropped all employment and began working on my third book, my second having been published.

Mr. TAVENNER. After the completion of your book, what was your next employment?

Mr. ALMAN. My next employment, I believe, although I am not certain, was with the American Peace Crusade.

Mr. TAVENNER. Where were you employed by the American Peace Crusade?

Mr. ALMAN. I am sorry, I don't think I understand the question.

Mr. TAVENNER. I mean, in what locality were you employed? Were you working in New York?

Mr. ALMAN. Part of the time; yes.

Mr. TAVENNER. What was the nature of your duties?

Mr. ALMAN. Public relations.

Mr. TAVENNER. When did that employment begin and terminate?

Mr. ALMAN. Sometime in 1950 or 1951, although again I am not certain as to the dates.

Mr. TAVENNER. It was not organized until 1951, was it?

Mr. ALMAN. As I said, I am not certain as to the dates. If you say that is when it was organized, sir, I will take your word for it.

Mr. TAVENNER. Then that would place your period of employment sometime after January 1951?

Mr. ALMAN. I would say that would be so; yes.

Mr. TAVENNER. Did you participate in any way in helping to organize it?

Mr. ALMAN. In a public relations sense; yes.

Mr. TAVENNER. How long did you hold any position or office in it?

Mr. ALMAN. Did I have any official title as officer?

Mr. TAVENNER. Yes.

Mr. ALMAN. Not to the best of my knowledge.

Mr. TAVENNER. How long did you remain with the American Peace Crusade?

Mr. ALMAN. Again possibly for a period of about 6 months, or thereabouts.

Mr. TAVENNER. The American Peace Crusade, was organized in January 1951 with national headquarters at 1186 Broadway, New York 1, N. Y. Were your headquarters at that place?

Mr. ALMAN. I have come here so well prepared to speak on the Rosenberg-Sobell case and the Rosenberg-Sobell committee which is what the committee says it is interested in, I will answer all those questions fully and I think you ought to get to—

Chairman WALTER. Will you just answer the questions being asked?

Mr. ALMAN. Will you repeat that question, please?

Mr. TAVENNER. I am asking you whether you were employed at the headquarters of 1186 Broadway, the headquarters of the American Peace Crusade?

Mr. ALMAN. If that was the address of the headquarters of the American Peace Crusade, that is where I was employed.

Mr. TAVENNER. According to the Committee on Un-American Activities statement in the March of Treason pamphlet of February 1951, the American Peace Crusade was cited as an organization which the Communists established as a new instrument for their peace offensive in the United States and which was heralded by the Daily Worker with the usual bold headlines reserved for projects in line with Communist objectives.

What was your next employment after working for the American Peace Crusade?

Mr. ALMAN. I am not certain, but I believe that my next employment was with the National Committee To Secure Justice in the Rosenberg Case.

Mr. TAVENNER. And that began at what date?

Mr. ALMAN. I would say roughly in March of 1952.

Mr. TAVENNER. In what capacity were you employed?

Mr. ALMAN. As I stated before, I was the executive secretary of the National Committee To Secure Justice in the Rosenberg Case.

Mr. TAVENNER. How long did you remain executive secretary?

Mr. ALMAN. Until the late summer or fall of 1952.

Mr. TAVENNER. Did you hold any other position with the organization?

Mr. ALMAN. That is the only position I held in that organization.

Mr. TAVENNER. Who were the other officers?

Mr. ALMAN. Are you going to ask me questions on the cases, the activities of the committee, or are you going to simply try to get me to identify all sorts of individuals?

Chairman WALTER. If you will keep quiet long enough you will find out what he is going to ask you.

Ask the next question, Mr. Tavenner.

Mr. TAVENNER. Mr. Chairman, I am anxious to have an answer to that question, as to who the other officers were.

Mr. ALMAN. I was the executive secretary of the National Committee To Secure Justice in the Rosenberg Case. Whom I associated with, what I said to them, is my privilege under the first amendment. Also, in order to prevent any injury to myself, to become a witness against myself, I invoke the privilege of the fifth amendment.

Mr. TAVENNER. How could your telling the committee the names of the officers of this organization incriminate you?

Mr. ALMAN. Well, I think, sir, you can probably answer that better than I can.

Mr. WILLIS. I think he should be directed to answer.

The CHAIRMAN. I direct you to answer that question.

Mr. ALMAN. I invoke my privilege under the fifth amendment and refuse to answer.

Mr. TAVENNER. Who was the president of the association?

Mr. ALMAN. I give you the same reply for the same reason.

Mr. TAVENNER. Did it have a president?

Mr. ALMAN. Yes—yes, it had a president, I believe it had a president. I am not certain. I couldn't answer that with any certainty.

Mr. TAVENNER. You couldn't answer with certainty?

Chairman WALTER. You got pretty close to it.

Mr. TAVENNER. Your first reply was "Yes."

Mr. ALMAN. Because in my mind, sir, as in everybody's, I suppose, one can confuse or mix titles like chairman or president or just as we mix titles like secretary or executive secretary, and if you are asking was there a president or a chairman of that committee, my answer is "Yes." To the best of my knowledge there was a chairman of that committee.

Chairman WALTER. Who was the chairman?

Mr. ALMAN. Once again, sir, under the privilege of the fifth amendment and the first amendment, I decline to answer that question.

Chairman WALTER. I direct you to answer that question.

Mr. ALMAN. I decline to reply to that question under the fifth amendment.

Mr. TAVENNER. You asked yourself the question as to whether or not we were interested in knowing whether there was a president or a chairman. Your first reply was that there was a president when I formerly asked you the question. So I want to place it that way now. Was there a president? You know the answer to that.

Mr. ALMAN. How do you know I know the answer to that, sir?

Mr. TAVENNER. You couldn't help but know as the executive secretary of the organization for all that period of time.

Mr. ALMAN. If you say there was a president, I will go along with you and say yes, I know there was a president.

Mr. TAVENNER. Then you agree with me that there was a president?

Mr. ALMAN. On that I would agree with you since you tell me that.

Mr. TAVENNER. Why didn't you say so in the first place?

Mr. ALMAN. Because to my recollection I don't recall anyone holding that title, but it may be at one period there was such a title, or office, and someone may have held it. Therefore, if you tell me that is so, I am willing to take your word for it and say yes, there was a president.

Mr. TAVENNER. No; I don't want you to take my word for it. I want you to testify.

Mr. ALMAN. Well, I am testifying and giving you the best reply—

Mr. TAVENNER. Was there a president, or not?

Mr. ALMAN. There may have been one time when there was a president of the National Committee To Secure Justice in the Rosenberg Case, and therefore, I will answer yes, there was.

Mr. TAVENNER. Was that fact ever made public on any of your publications or on your committee letterhead?

Mr. ALMAN. As I recall it, our letterheads carried the name of the chairman.

Mr. TAVENNER. Why didn't it carry the name of the president?

Mr. ALMAN. Was there a president, sir?

Mr. TAVENNER. You just said there was.

Mr. ALMAN. I have said there was if at one time there was such a post in the committee. It is possible that at the time that there was such a post the committee had not yet gotten its stationery.

Mr. TAVENNER. You say it was possible. But was there some purpose in not making known the name of the president of your organization?

Mr. ALMAN. There is very little that we did not make known in the National Committee To Secure Justice—

Mr. TAVENNER. Was there some little part that you didn't make known?

Mr. ALMAN. Not to my knowledge, sir.

Mr. TAVENNER. Did you have any business connection or association with the president of your organization?

Mr. ALMAN. I don't know whom you are referring to, sir.

Mr. TAVENNER. You don't know the president of your organization?

Mr. ALMAN. I don't know if there is a president of that organization. I told you before that at one time there may have been such a title or office in that committee.

Mr. TAVENNER. And you know who it was, too, don't you?

Mr. ALMAN. No, sir; I do not.

Mr. TAVENNER. You do not know who was the president of your organization?

Mr. ALMAN. No, sir; I do not.

Mr. TAVENNER. I think, Mr. Chairman, at this point I would like to excuse the witness and recall the former witness.

(Whereupon the witness was temporarily excused.)

**TESTIMONY OF MRS. EMILY ALMAN, ACCOMPANIED BY COUNSEL,
VICTOR RABINOWITZ—Resumed**

Mr. TAVENNER. Can you refresh the memory of your husband as to the name of the president of your organization?

Mrs. ALMAN. Yes, I could refresh my husband's memory as to the name of a person who was listed in our bank deposit as president. Under the first and the fifth amendment I will not mention his name, but I can tell you how that came on the bank deposit and what the office actually was.

Chairman WALTER. You were asked another question, and you declined to answer on the ground that the answer might incriminate you.

Mr. TAVENNER. That is all.

Mrs. ALMAN. If you don't want to know, that is up to you.

Chairman WALTER. We know; don't worry about that.

(Whereupon the witness was excused.)

TESTIMONY OF DAVID ALMAN—Resumed

Mr. TAVENNER. Mr. Alman, has the statement made by your wife refreshed the recollection as to who the person may be?

Mr. ALMAN. Within my memory, sir, I have never contradicted any statement made by my wife.

Chairman WALTER. I don't blame you.

Mr. ALMAN. And, therefore, I tell you that there was a president listed as she says, for purposes of a bank account, I believe was the statement that she used.

Mr. TAVENNER. In connection with the authorized signature card which was required by the bank when deposits were first made in the name of the National Committee To Secure Justice in the Rosenberg Case, there is an affidavit attached which the committee obtained under a subpoena duces tecum. I will ask you to examine that affidavit and state whether or not you see there the name of the president. Do you see it?

(The witness confers with his counsel.)

Mr. ALMAN. Would you repeat your question, sir?

Mr. TAVENNER. The question was whether or not you see on the document I have handed you a statement of the name of the president?

Mr. ALMAN. I see the title "president" on the righthand side. I see a name on the lefthand side.

Mr. TAVENNER. What is the name?

Mr. ALMAN. You want me to read that name, sir?

Mr. TAVENNER. Well, you have it before you. I am asking you who it was.

Mr. ALMAN. You are asking me to read the name; is that it?

Mr. TAVENNER. Yes; give us the name.

Mr. ALMAN. The name written here is Louis Harap.

Mr. TAVENNER. Spell the last name.

Mr. ALMAN. H-a-r-a-p.

Mr. TAVENNER. Are you personally acquainted with Mr. Harap?

Mr. ALMAN. I decline to answer that question on the ground of the fifth amendment.

Mr. TAVENNER. As a matter of fact, haven't you had a business association with Mr. Harap in the past?

Mr. ALMAN. I decline to answer that question on the ground of the fifth amendment.

Mr. TAVENNER. Haven't you known all along that Mr. Harap was the president of your organization?

Mr. ALMAN. I have answered your question, sir.

Mr. TAVENNER. May I ask you a direction?

Chairman WALTER. I direct you to answer the question.

Mr. ALMAN. I don't know that I was involved in taking out that bank account——

Chairman WALTER. That is not the question that you have been asked.

Mr. ALMAN. Well, I will go along with my wife and testify that for the purpose of the bank account——

Mr. TAVENNER. You go by your own recollection.

Mr. ALMAN. Mr. Harap was the president of the National Committee To Secure Justice in the Rosenberg Case.

Mr. TAVENNER. Was he known to you to be a member of the Communist Party?

Mr. ALMAN. I never asked anyone for their political affiliations, nor do I care what their political affiliations are. I don't pin labels on myself nor on other people nor do I permit other people to pin labels on me. I am concerned with justice in this country and I will work for those ends where I feel I am right, regardless of what label anyone seeks to pin on me or put on other people.

Chairman WALTER. Was Mr. Harap the president of this organization?

Mr. ALMAN. I have just answered that question.

Chairman WALTER. Was he a member of the Communist Party?

Mr. ALMAN. I would not know, because I never asked anyone their political affiliations.

Chairman WALTER. Did you attend any Communist Party meetings with him?

Mr. ALMAN. I am going to invoke my right under the fifth amendment not to reply to that question.

Chairman WALTER. Proceed, Mr. Tavenner.

Mr. TAVENNER. What business association or connection have you had with him, Mr. Harap?

Mr. ALMAN. I will have to repeat what I have said before, that is, I have come here prepared to discuss the Rosenberg case, the Rosenberg committee, its activities and fund raising, its purposes and aims.

Chairman WALTER. Will you answer the question asked?

Mr. ALMAN. You have had people up here for 2 days asking them questions about the finances and operations of the committee. I am prepared to answer those questions.

Chairman WALTER. Repeat the question, Mr. Tavenner.

Mr. TAVENNER. What business or association or connection have you had with Mr. Harap?

Mr. ALMAN. I am going to take the fifth amendment on that, sir. I decline to answer on those grounds.

Mr. TAVENNER. Hadn't you been employed by him to write book reviews for a publication of his known as Jewish Life?

Mr. ALMAN. Sir, I have never been employed by anyone to write book reviews for any organization, magazine, or what have you.

Mr. TAVENNER. Have you written book reviews for Mr. Harap?

Mr. ALMAN. I have written book reviews, yes.

Mr. TAVENNER. For Mr. Harap?

Mr. ALMAN. Again I say that I have been called here ostensibly to discuss my knowledge——

Mr. TAVENNER. This is not responsive——

Mr. ALMAN (continuing). Of the Rosenberg case and committee, its fund-raising activities and I say that you——

Chairman WALTER. You answer the question. You have been throwing a great deal of light on this subject matter, maybe unconsciously.

Mr. ALMAN. I am being asked every question except those that concern the case, or the committee.

Chairman WALTER. Proceed, Mr. Tavenner.

Mr. TAVENNER. How are you now employed, Mr. Alman?

Mr. ALMAN. I am a farmer and a novelist.

Mr. TAVENNER. What are the novels, principal novels, which you have written?

Mr. ALMAN. The first was *The Hourglass*. The second was *The Well of Compassion*. The third was *World Full of Strangers*.

Having said that, can we get down to the Rosenberg-Sobell case and the Rosenberg-Sobell committee, its activities, its fund raising, return to the questions you have been asking people before?

Chairman WALTER. Proceed, Mr. Tavenner.

Mr. TAVENNER. Did you also write for the *Daily Worker*?

Mr. ALMAN. I am anxious to get to the subject that I discussed a moment ago——

Chairman WALTER. We are right in the middle of it.

Mr. ALMAN. You are not in the middle of it, sir.

Chairman WALTER. I believe we are. You have proved beyond any peradventure of a doubt that the Communists hit upon this case to exploit——

Mr. ALMAN. Do you want to know the origins of this committee? I am prepared to discuss in detail the origins of this committee. Do you want to put that question to me?

Chairman WALTER. We know all about it.

Mr. ALMAN. You don't know about it, sir. How did this committee arise. I will answer that question.

Mr. TAVENNER. Answer my question.

Mr. ALMAN. Those are questions you will not ask because you are trying to conceal the origins of this committee. You try to make it appear that there was something sinister in a sincere desire of people to bring about justice where they thought there was a miscarriage of justice.

Chairman WALTER. You are not kidding anybody within the hearing of your voice with that statement.

Mr. TAVENNER. May I have direction that the witness answer the question?

Chairman WALTER. I direct you to answer the question.

Mr. WILLIS. The question was: Did you also write for the *Daily Worker*?

Mr. ALMAN. I am going to invoke the fifth amendment on these questions. I do not wish to become a witness against myself or discuss the relevancies here. I want to discuss the Rosenberg-Sobell cases. If a miscarriage of justice has occurred, this committee ought to be interested in it as much as anyone else, if not more.

Mr. TAVENNER. Have you any connection with the National Committee To Secure Justice for Sobell in the Rosenberg Case?

Mr. ALMAN. I have been extremely busy on the farm, with a book, and have had too little time, unfortunately, to give to the work of that committee in its attempt to secure a new trial for Morton Sobell.

Mr. TAVENNER. Have you had any connection with it at any time since its formation in October 1953?

Mr. ALMAN. When my advice has been sought on matters, I have given that advice. I would say that that, unfortunately, has been in the main the extent of my connection with the Sobell committee.

Before you go to that, however, sir, I thought you were interested in how the National Committee To Secure Justice in the Rosenberg Case began.

Chairman WALTER. We know about that.

Mr. ALMAN. You don't know about that.

Chairman WALTER. We know all about that.

Mr. ALMAN. You have asked people this question, but now you know there is someone who is prepared to answer it, you are not asking that question. I am prepared to answer that question. Why don't you ask it?

Mr. TAVENNER. Have you at any time served in the position of executive secretary of the Sobell committee?

Mr. ALMAN. No, sir; I have not.

Mr. TAVENNER. Have you prepared any particular material, documents, or pamphlets for the Sobell case?

Mr. ALMAN. At their request, I have, yes.

Mr. TAVENNER. What have you prepared for them?

Mr. ALMAN. Well, I had a hand in the preparation of the briefs that were submitted to the Subcommittee on Civil and Constitutional Liberties of the Senate Judiciary Committee. I think that you have a copy of that, sir. This document deals with contradictions in testimony given at the trial, new evidence of perjury.

Chairman WALTER. How can there be any contradiction of testimony when Sobell didn't testify?

Mr. ALMAN. That doesn't answer the question, sir. You have asked me what material I prepared and I tell you what material I prepared. Whether Mr. Sobell took the stand or not, the fact is that witnesses there made statements which have been proved to be false.

Mr. TAVENNER. What other documents did you prepare for the Sobell committee?

Mr. ALMAN. I believe at one time I prepared an evaluation of the opportunities that existed for securing a new trial for Morton Sobell. This was based, I believe, on the fact that a key witness in other cases had recanted his testimony.

This opens the possibility perhaps of witnesses in the Rosenberg-Sobell case recanting and also because one of the prosecutors in the Rosenberg-Sobell case, Roy Cohn, has been found in a public hearing by a Senate committee to have, or at least it was alleged that he was involved in the doctoring of some photographs. Interestingly enough, in the Rosenberg-Sobell case there was admitted photographs which, too, brought about false implications in that case. As a matter of fact, I might add this—

Mr. TAVENNER. You say you have prepared that evaluation for the Sobell case?

Mr. ALMAN. I prepared that evaluation for the committee.

Mr. TAVENNER. What else have you prepared?

Mr. ALMAN. I believe I had a hand in the preparation of a 4-page document based on the McCarthy-Army hearings in which it was shown that Mr. Cohn's conduct was less than exemplary and because this man was also involved as a prosecutor in the Rosenberg-Sobell case it raised certain doubts which we felt had to be called to the attention of the public.

Mr. TAVENNER. How much were you paid for that?

Mr. ALMAN. I was not paid anything for that. I did that because I believe in justice, because I believed that our courts are strong enough, firm enough, and everlasting enough to withstand correction when error is made, because I believe that when that correction is not made it undermines our system of justice.

Mr. TAVENNER. What else have you prepared for the Sobell case?

Mr. ALMAN. At this moment I do not recall. I hope there are other things as well.

Mr. TAVENNER. Yes, here is one, entitled "National Committee To Secure Justice for Morton Sobell, 1050 Sixth Avenue, New York 18, N. Y., March 1, 1955, the New Phase in the Sobell Case."

On February 13 a conference was held in Chicago—

I am reading from the document—

With representatives from the national committee and committees from San Francisco, Los Angeles, Minneapolis and St. Paul, Milwaukee, Chicago, Des Moines, Iowa City, Cleveland, and New York. The following is a report on ideas expressed at the conference and on a program of action for the coming months. It has been prepared by David Alman.

I hand it to you and ask you to identify that as having been prepared by you.

Mr. ALMAN. This document begins with the words "The integrity of justice as administered"—

Chairman WALTER. Will you answer the question? Was that prepared by you? Did you prepare that

Mr. ALMAN. My guess is that in the main I did; yes, sir.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked "David Alman Exhibit No. 1," and made a part of the transcript of the record.

Chairman WALTER. It is so ordered.

(David Alman Exhibit No. 1 is as follows:)

NATIONAL COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL,
1050 Sixth Avenue, New York 18, N. Y., March 1, 1955.

THE NEW PHASE IN THE SOBELL CASE

(On Feb. 13th a conference was held in Chicago with representatives from the national committee and committees from San Francisco, Los Angeles, Minneapolis and St. Paul, Milwaukee, Chicago, Des Moines, Iowa City, Cleveland, and New York. The following is a report on ideas expressed at the conference and on a program of action for the coming months. It has been prepared by David Alman).

"The integrity of justice as administered in the United States is at stake."

These words, spoken by Dr. Urey at the Chicago Dinner, place the Rosenberg-Sobell case in its true perspective. Only the righting of the wrong in this case can reestablish a pattern of fairness and democracy in our courts. Without a reversal of the verdict, said Dr. Urey, "no justice is possible at all."

There are in our country today a number of cases historically related to the one that has been our prime interest since the fall of 1951. The same prosecutors, judges, and witnesses appeared in a number of them. They all led to the Rosenberg-Sobell case, to the ultimate stigma of treason upon the names of non-conformists, to the ultimate sentence of death. Were it not for an extraordinary campaign of enlightenment, involving at its height the participation of several million people, the Rosenberg-Sobell case would have led us into a time of wholesale executions and repeated sentences of living death.

Today, the Rosenberg-Sobell case haunts the equilibrium of all who directly or indirectly participated in its frauds and cruelties. No case in our time commanded so much attention, drew so many advocates, created so many doubts, or compelled so much self-justification on the part of the team of executioners. Other verdicts in other related cases may be reversed without laying bare to the American people the lengths to which life and freedom have been subordinated to the demands of transitional policies at home and abroad. Indeed, that has happened in some instances. But were the Rosenberg-Sobell case to obtain a new and honest verdict, no other related case could stand unchanged. No person connected with the Attorney General's conduct of the case could remain in public life, and some would undoubtedly find themselves indicted. No piece of legislation resting on the Rosenberg-Sobell case for its justification could remain unchanged. And all design for further attacks on life and liberty, in the name of saving the nation, would have to be set aside.

Wherever men and women are in prison today solely for social, economic, or political nonconformity, their hope lies in an exposure of the Rosenberg-Sobell case, for that is a key to all undeserved prison doors.

The nationwide justice and clemency campaigns between the fall of 1951 and June of 1953, and the constant—if not yet intense—efforts around Morton Sobell, have been an indispensable background to many new developments in our country. There is today a growing sentiment for the restoration of due process in the courts. There are confessions by men and women who played the role of perjured witness in trials and congressional hearings. (It is interesting to note that, according to Harvey Matusow, he first decided to reveal his perjuries shortly after the execution of the Rosenbergs.) There are a number of Federal judges who have shown a courage akin to that of Justice Douglas when he dared stand alone on June 17, 1953. There are newspaper columnists, like the Alsops, who have taken their stand in the Oppenheimer case. There has been the censure of Senator McCarthy and the subsequent exposure of Roy Cohn.

These events had their origin in the profound disturbances created by the Rosenberg-Sobell case. They would have been immeasurably delayed had not the justice and clemency campaigns halted further plans to create an atmosphere of frenzied hysteria on the bodies of the tortured and the dead.

A new step forward was created by the advocates of Morton Sobell on the night of February 12, when the dinner to Dr. Urey took place. Dr. Urey and the other eminent guests that evening chose to speak directly under the auspices of the Chicago Sobell Committee, and they made it clear that the Sobell case was, to their thinking, of key importance in our times. Some 6,000 Americans, in a scroll to Dr. Urey, made known their belief—at the very least—that they applauded the great scientists' exercise of his right to speak his mind on the case itself. Some of these signers, like Dr. Urey himself, are Nobel prize winners. Others are eminent in science, religion, philosophy, and history.

Within less than 24 hours following this historic event newspapers throughout the country carrying portions of Dr. Urey's speech, placed at least some of the facts in the case before large numbers of the American people.

With this impetus, and within the framework of an improving atmosphere, the various committees, groups, or individuals who have interested themselves in the Sobell case have an extraordinary opportunity to move towards new, more far-reaching steps leading to Morton Sobell's freedom.

The National Committee, therefore, is now preparing public and legal steps that will carry the case to a new stage. This program will reflect the willingness of large numbers of people to take a second look at the conduct of the Attorney General's office, and their growing apprehension that our standards of justice have been flagrantly abused. This program will be cognizant of the fact that we are entering a time when our fellow citizens can be moved not only by humane and ethical considerations, but by indignation at exposed falsehood.

This program will be characterized, in the first place, by the placing of the facts in the case before larger numbers of the American people. Dr. Urey's speech and the press coverage that followed it, was the initial step in that direc-

tion. Now, new ways must be devised to make public the contradiction in testimony, the perjuries, the tortures, and cruelties involved in the case.

This program will be characterized, secondly, by activities directed at all three branches of our government. Our attorneys will press in the courts for transfer, for review, for a new trial. Our appeal for an investigation by an appropriate Committee of Congress will be renewed, with the solicitation of public support for such a step. Within the Executive Department, we will press for transfer, for the withdrawal of objection to a court review, and finally, if necessary, an appeal for Presidential pardon or commutation.

The third characteristic of this program will be its widespread scope. Every section of the population, regardless of its station in public, in private life, will be reached with the facts in the case. The scientist, minister, lawyer, educator, social worker, union leader, the worker, housewife, and student must all find themselves in possession of the facts and encouraged to take whatever steps are appropriate to the moment.

The fourth characteristic will be a further seeking out of the diversity of levels upon which people can take action on the case. The Sobell Case is replete with inhuman and immoral acts by the Attorney General's Office, as well as with grievous denial of due process and outright fraud. The process of enlightenment for differing persons and sections can begin at any of these points, and must always tend to move towards fuller knowledge. We have seen, heretofore, that many persons, while actually doubting the validity of the verdict and sentences, nevertheless chose to limit the expression of their opinion to humane questions. These opinions are of extreme value to the efforts on Sobell's behalf. To raise those opinions and actions to a more effective level, it is necessary to enlighten people on the key importance of the case for the future of democracy in our courts and country. Those who share our view that Sobell is the victim of a terrible fraud, and yet limit the range of their appeal, can be made to understand that it is in the best interests of our country that they come to grips with the fundamental issues in the case.

Such a program requires a detailed plan of activities, most carefully thought out, exceedingly flexible, and realistic in purpose and fulfillment. It cannot be entirely blueprinted, but must be created step by step as new developments take place, as our program of education grows and takes hold, and as new situations arise.

It is essential to keep in mind that, regardless of the step we call for at any particular moment, we must seek to find the broadest and most numerous support. This applies equally to the campaign for transfer now being strengthened and to a possibly not too distant campaign for Presidential commutation of sentence. Just as the former must find the means of embracing all shades of opinion—from the humane to the advocate of Sobell's innocence, so the latter must encompass these as well, so that even persons believing in Sobell's guilt will recognize that his sentence was far too severe and that his freedom would materially aid the growing sentiment against extremism and unprecedented harshness in the courts.

The following are the steps with which we propose to open this new period in the campaign for justice for Morton Sobell.

First: The immediate development of a legal program that will place before the courts the errors of the trial, the perjuries of the witnesses, the new evidence continuously being uncovered, the revelations of Harvey Matusow in respect to Roy Cohn, and other proper courtroom steps which may become feasible. These legal steps would involve both question of transfer and a new trial. This would require additional legal help, a step that is already being taken. The motions and arguments prescribed to the courts will require popularization and dissemination among large numbers of people, for an appeal to the Executive Department to withdraw opposition to consideration of these motions by the courts.

Second: The immediate undertaking of a national unified campaign around the question of Sobell's transfer from Alcatraz. There will be those who will support an appeal based on humane grounds. There will be others who, though in agreement with the verdict and sentence, nevertheless recognize that a man who maintains his innocence has the right to press his case in the courts under fairer conditions than Alcatraz permits. And there will be those who are indignant that a man who has not been convicted by due process is compelled to live out his life in that distant and harsh institution. A campaign unifying all these diverse groups, bringing their divergent reasons together, must display an intelligent and effective flexibility.

Heretofore, our efforts for transfer have been directed, for the most part, to the Director of Prisons. As indicated earlier, an appeal to the courts will also be made. But we see the need to open new directions on this question, namely, the Congress and the Senate. An appeal to all three branches is therefore called for, and there is now in preparation material, petitions, etc., directed to each. As this campaign grows, as it meets and solves new problems, it must begin to reflect the whole truth in the case, and must lead to the development of a public consciousness that will, by its number and importance, elevate the case and the campaign to a new level.

One of the first steps is the preparation of a new appeal for the removal of Morton Sobell from Alcatraz. This appeal will be sent to leading Americans who have already individually expressed their request for transfer, and they will be asked to join in this statement. The circulation of this appeal will then be made among leading persons on community, state, and national levels, with the intention of making the statement public (in the form of newspaper ads, for example) when enough names are collected. We see the possibility of every committee getting enough leaders in its particular city to endorse such an appeal and agree to having their names included when the statement is made public. Of course, this must be done with the utmost care and integrity, both on the national and local levels. Persons must be assured that their names will not be released before they are consulted with again prior to the making public of such an appeal.

A leaflet now going to the printer makes the tieup between the Matusow disclosures and the pattern in the Sobell case. These leaflets will be rushed to you, and it is hoped you will make the fullest possible use of the leaflet, either as is, or by adapting it to suit your needs. This is the kind of material we believe can be used to reach millions of Americans in a grassroots campaign. Other material will be published and issued in large quantities. We have been getting many demands for the Dr. Urey speech, and arrangements are being made to get printed copies. This speech is excellent to include in mailings to persons whom you want to reach. Also available is a reprint of a followup letter which appeared in the New York Times.

Committees are urged to see all those whom they visited for the scroll for Dr. Urey. Wherever possible, these people should be brought material on the Sobell case, with the aim of advancing their thinking and viewpoint on the case.

The National Committee is preparing an addendum to the request for an investigation of the case. This material will be presented to the Senate and House Judiciary Committees, and to all Senators and Congressmen. Copies will be made available to all of our committees. It is urged that a letter-writing campaign to Congressmen and Senators be carried out, and that committees take specific quotas of letters they will get written. These letters should urge the investigation, and also urge the Senators and Congressmen to intervene with the Justice Department, to effect Morton Sobell's transfer. (In this connection, Helen Sobell has already received many letters from Congressmen and Senators in answer to personal appeals from her. All of the replies were very cordial, and in many cases, copies of the correspondence were sent to Bennett's office, and Bennett felt it necessary to write to the legislators.)

One of the greatest means of education we will soon have, will be John Wexley's book, *The Judgment of Julius and Ethel Rosenberg*. For various reasons there have been delays, and we are pressing for copies of the book as soon as possible. Preparations are under way for a national speaking tour for John Wexley. Wherever he has spoken in the past months, he has evoked tremendous interest in the case. All committees are urged to begin thinking about the possibilities for a meeting around Wexley and his book, and the national office will be in touch on working out the specific dates. This book must be placed in the hands of every important person in your city, no matter what his or her position on the case has been * * *. Another illuminating book just published is the *Atom Spy Hoax*, by William Reuben. This book contains much information that will be helpful to persons working on the Sobell case.

The national office will undertake a number of field trips in the next few months, so that every section of the country can be covered, and committees can be assisted in carrying out their programs.

The National Committee and individual committees are to begin planning now for large events to be held for Morton Sobell on June 19th, in memory of the Rosenbergs. Our activities developed during the next months should be done with this culmination date in mind. Between now and June 19th, we must see that our literature reaches tremendous numbers of people, that many names are added to the national appeal for transfer from Alcatraz, so that there will be a

firm base for meaningful and widespread activity on January 19th on a co-ordinated, national basis.

To conduct the kind of a campaign necessary will take many thousands of dollars and will require much greater financial participation from our committees. A detailed explanation of these needs and suggestions for quotas and means of raising funds are being prepared and will be mailed to you.

We believe this program, coupled with our legal plans, presents the framework for the kind of campaign that can win Morton Sobell's transfer from Alcatraz, and set the stage for winning his complete freedom. How this program is developed will depend not only on the work of the national committee and staff, but on what each Sobell committee does to develop its program and win over large numbers of people in each major city. As was demonstrated in other phases of this case, it will be the creative work of the many groups throughout the country that will add up to a significant national campaign for justice for Morton Sobell.

WHAT WILL YOU DO TO WIN JUSTICE FOR MORTON SOBELL?

Please fill in blanks

I pledge to:

- * Write a letter to James V. Bennett, Director of Prisons, Justice Department, Washington, D. C., asking that MORTON SOBELL be transferred from Alcatraz, and to get _____ other people to write similar letters
- * Write a letter to my Congressman urging him to investigate the ROSENBERG-SOBELL case, and get _____ others to write similar letters
- * Sell _____ tickets for the MORTON SOBELL affair to be held June 16th at Carnegie Hall in memory of Ethel and Julius Rosenberg
- * Sell _____ copies of John Wexley's book
- * Raise \$_____ toward the SOBELL campaign by June 19th, by holding parties or through individual contacts
- * Volunteer for (check activity desired)
 - ☐ Leaflet distribution
 - ☐ Office work

Name_____

Address_____

Phone_____

Return to Committee to Secure Justice for Morton Sobell, 1050 Sixth Ave., New York 18, N. Y. LO 4-9585.

Mr. ALMAN. I ask you once more when are you going to put that question as to the origins of the National Committee To Secure Justice in the Rosenberg Case? Why are you afraid of an answer to that question? I think the record ought to show, sir, that there is silence on that. This committee will not ask me that question because this committee does not want the answer.

Chairman WALTER. This would be funny if it were not for the foreign implications.

Mr. ALMAN. There is a man in Alcatraz. There is nothing funny about that. A bunch of ambitious prosecutors decided they didn't care what happened to the system of justice, didn't care about rules of law or anything.

Mr. TAVENNER. Page 4 of the document has this language:

The following are the steps with which we propose to open this new period in the campaign for justice for Morton Sobell:

First, the immediate development of the legal program that will place before the courts the errors of the trial, the perjuries of the witnesses, the new evidence continuously being uncovered, the revelations of Harvey Matusow in respect to Roy Cohn and other proper courtroom steps which may become feasible.

In other words, it was your plan, I take it from that, to attempt to use the testimony of Harvey Matusow to discredit Government witnesses generally in the other cases. Is that what you were driving at?

Mr. ALMAN. I cannot speak for the attorneys in the Sobell case, sir. How they use material, evidence, and et cetera is beyond my ken.

Mr. TAVENNER. Will you answer my question?

Mr. ALMAN. I have answered your question, sir.

Mr. TAVENNER. Wasn't it your purpose to use the action taken by Harvey Matusow to attempt to discredit Government witnesses in the other cases?

Mr. ALMAN. My purpose and my interest in the Rosenberg case is to secure freedom for Morton Sobell, who I believe to be an innocent man.

Mr. TAVENNER. Will you answer the question?

Mr. ALMAN. I have answered your question. I have told you what my purposes are.

Mr. TAVENNER. Mr. Chairman, he has evaded the question. May I ask a direction?

Chairman WALTER. I direct you to answer the question.

Mr. ALMAN. Will you repeat the question?

Mr. TAVENNER. Read him the question.

The REPORTER (reading):

Mr. TAVENNER. Wasn't it your purpose to use the action taken by Harvey Matusow to attempt to discredit Government witnesses in the other cases?

Mr. ALMAN. What do you mean by other cases, sir?

Mr. TAVENNER. Any other case.

Mr. ALMAN. No, sir.

Chairman WALTER. The Sobell case.

Mr. ALMAN. The Sobel case. Those witnesses already are discredited, sir. In the handwriting of David Greenglass himself, the chief prosecution witness, he refutes his own testimony in that courtroom. He says he does not know who sent him to Gold. He says he is willing to state what the FBI tells him to state.

Chairman WALTER. Ask the next question.

Mr. ALMAN. No one can discredit those witnesses. They have done it themselves. Mrs. Greenglass, the wife of David Greenglass, calls her husband a liar.

Chairman WALTER. I have read all the record.

Mr. ALMAN. I have a copy of it here. Have you read this entire record?

Chairman WALTER. Yes.

Mr. ALMAN. I would love to have the opportunity to ask you questions on that record.

Chairman WALTER. You are not a lawyer. I am.

Mr. ALMAN. I have behind me plenty of lawyers who have read this record, including three Justices of the Supreme Court who felt the Rosenbergs should not be executed.

Mr. TAVENNER. Attached to the document is a circular to which I call your attention and ask you who helped you to prepare that?

Mr. ALMAN. This leaflet, which was apparently meant for the public and probably distributed in thousands of copies, reprints a portion of the testimony of the witness against Sobell, a man by the name of Elitcher. He was asked whether he lied under oath. He said "Yes." Then he was asked who coached him, who talked to him. He says Mr. Cohn as well as other members of the prosecution. It also states that the Supreme Court has never reviewed the testimony in this case.

Mr. TAVENNER. I didn't ask you to read the document. I asked you if you helped prepare it, or did prepare it.

Mr. ALMAN. I am very proud of the fact I did help prepare it. It is even conceivable that I did this myself.

Mr. TAVENNER. Now, actually it is the Communist Party plan in this country to use Harvey Matusow to attempt to discredit Government witnesses generally, isn't it? You know that, don't you?

Mr. ALMAN. I do not know that, sir. I don't know what the Communist Party intends to do, what it plans to do, what its program is. No, sir; I do not. My concern with Harvey Matusow relates to Sobell, period.

Chairman WALTER. The committee will stand in recess until 10 o'clock in the morning.

Mr. RABINOWITZ. You are not finished with him?

Mr. TAVENNER. No.

(Thereupon, at 3 p. m., Thursday, August 4, the subcommittee was recessed, to reconvene at 10 a. m. Friday, August 5, 1955.)

INVESTIGATION OF COMMUNIST ACTIVITIES (THE COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE AND AFFILIATES)—PART II

FRIDAY, AUGUST 5, 1955

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities met at 10:20 a. m., pursuant to recess, in the caucus room, Old House Office Building, Hon. Francis E. Walter (chairman) presiding.

Present: Representatives Walter (chairman) and Edwin E. Willis.

Present also: Frank S. Tavenner, counsel to the committee; George C. Williams, investigator.

The CHAIRMAN. Please come to order.

Mr. TAVENNER. Mr. Alman, come forward, please.

TESTIMONY OF DAVID ALMAN, ACCOMPANIED BY COUNSEL, VICTOR RABINOWITZ—Resumed

Mr. TAVENNER. Mr. Alman, yesterday, I understood you to make reference to certain documents obtained after the trial by the Committee To Secure Justice in the Rosenberg Case. Were those the same documents which were given general circulation by the national organization?

Mr. ALMAN. Yes; I believe they were.

Mr. TAVENNER. The committee has been informed that these documents were released by the national committee to secure justice for the Rosenbergs at a press conference held on June 4, 1953. Were you present at the conference?

Mr. ALMAN. In all likelihood I was. I couldn't answer for certain, but I am quite sure I was.

Mr. TAVENNER. Who were the other persons present from your national organization?

Mr. ALMAN. I am going to invoke the fifth amendment, because I cannot, I will not be compelled to become a witness against myself.

Mr. TAVENNER. Were you informed at an earlier date that this release was to be made on or about June 4?

Mr. ALMAN. I am not sure I understand the question, sir.

Mr. TAVENNER. When did you first learn that the committee proposed to release these documents?

Mr. ALMAN. I couldn't tell you exactly how far before we released them we had decided to release them. First of all, one of the documents was taken to a handwriting expert—that is, the document in David Greenglass' handwriting—and that was authenticated by Mrs. Elizabeth McCarthy at Boston.

Mr. TAVENNER. On what date did you have that done?

Mr. ALMAN. The authentication?

Mr. TAVENNER. Yes.

Mr. ALMAN. I may have it in my papers. I will have to look for a moment to see. I have not got the date here on which Mrs. McCarthy authenticated the document.

Mr. TAVENNER. Let me ask you this question. When did the national committee obtain those documents?

Mr. ALMAN. My guess would be that it was approximately a month and a half, about 6 weeks, before they were made public, and I am just guessing.

Chairman WALTER. Give us the best of your recollection.

Mr. ALMAN. That is the best of my recollection now. I think about 6 weeks passed between the time that the documents came into our possession and the time we released them.

Mr. TAVENNER. That was approximately what date in April?

Mr. ALMAN. Well, if we released them, you have the date, June 4, then I guess it must have been about the middle of April.

Mr. TAVENNER. Do you know from what source the committee obtained the documents?

(The witness consulted with his counsel.)

Mr. ALMAN. The present Sobell committee is still in search of new evidence, and I do not wish to assist in cutting off any information they may obtain, and in addition to that, I wish to invoke my right under the fifth amendment not to be a witness against myself.

Mr. TAVENNER. Did you have some part in procuring the documents?

(The witness consulted with his counsel.)

Mr. ALMAN. I will avail myself of my privilege under the fifth amendment not to become a witness against myself.

Mr. TAVENNER. The committee's investigation indicates that these documents were published in a French newspaper some time, a day or two prior to April 18 or on April 18. Is that substantially correct? I will change the question.

Were they published by a French newspaper prior to their being released by your committee?

Mr. ALMAN. Yes, sir; they were. They were published in *Le Monde*, which is a large French newspaper. I think it is a Catholic newspaper.

Mr. TAVENNER. Spell it, please.

Mr. ALMAN. L-e M-o-n-d-e, I believe it is.

Mr. TAVENNER. Was that a reprint from the French newspaper called *Le Combat*?

Mr. ALMAN. I wouldn't know. You mean is the material appearing in *Le Monde* a reprint of the material appearing—

Mr. TAVENNER. Yes.

Mr. ALMAN. I wouldn't know that, sir.

Mr. TAVENNER. Do you recall the date on which that press release was made in France?

Mr. ALMAN. No, sir; I do not, except that I do recall it was made before we released this material here in the United States.

Mr. TAVENNER. According to your best recollection, was it around the 18th of April?

Mr. ALMAN. It might very well have been.

Mr. TAVENNER. The committee's investigation discloses that Mr. Joseph Brainin, chairman of the National Committee To Secure Justice in the Rosenberg Case, traveled to Europe on a passport in April 1953 and that he was in London from April 7 to the 10th, in Paris from the 10th to the 14th, and in Rome from April 14 to the 18th. Do you know whether or not he took these documents to France with him?

Mr. ALMAN. I shall decline to answer for the same reasons I gave before, sir.

Mr. TAVENNER. Were those documents in the possession of or in the control of the National Committee To Secure Justice in the Rosenberg Case prior to Mr. Joseph Brainin's trip to Paris?

Mr. ALMAN. I shall decline to answer that question for the same reason.

Mr. TAVENNER. What reason?

Mr. ALMAN. That is, I do not wish to be compelled to become a witness against myself, and therefore I avail myself of the privilege of the fifth amendment.

Mr. TAVENNER. Were Mr. Brainin's expenses to Europe paid by your committee?

Mr. ALMAN. I shall decline to answer for the reason given before.

Mr. TAVENNER. Investigation made by the committee shows that on March 30 there was an item charged or paid by your committee for ocean travel in the amount of \$295. Will you tell this committee what that ocean travel was and who engaged in it?

Mr. ALMAN. To the best of my recollection Ocean Travel is the name of a travel agency from which I believe we used to purchase our railroad and plane tickets for various trips around the country. Now, as to the specific check you are referring to, I would have to see that check and look at it to try to refresh my memory as to what particular trip that was for.

Mr. TAVENNER. If a check was paid on March 30 and charged on your books as ocean travel in the amount of \$295, what would it have been for?

Mr. ALMAN. I could not tell you, sir, without referring to the check and trying to refresh my memory. You must remember that as the financial report indicates, we had seven professional organizers over a period of time, we were constantly moving around, traveling to Chicago, to the west coast, other cities. That particular check may refer to a trip someone may have made to California. I really wouldn't know unless I had the check.

Mr. TAVENNER. You didn't constantly have people going to Europe in behalf of the committee, did you?

(The witness consulted with his counsel.)

Mr. ALMAN. The point I am making is that I have not said that this check was for Europe or for Los Angeles or for any other place in the country, or the world. I don't know, sir.

Mr. TAVENNER. You have indicated those are your reasons for not knowing, that you had so much travel over the United States that you

are unable to recall just what this was, but you didn't have so much travel abroad, did you, that you would have any difficulty in remembering whether you paid the expenses of an officer of your organization to go to Europe?

(The witness consulted with his counsel.)

Mr. ALMAN. Let me repeat something before for clarification. I think I may have been misunderstood.

The notation "Ocean Travel" does not refer to a European trip. Ocean Travel is the name of a travel agency, and you find quite a number of checks made out to Ocean Travel, from whom we used to purchase our plane and railroad tickets, whether we went to Boston or Chicago or Los Angeles, or anywhere else.

Chairman WALTER. Where is its place of business?

Mr. ALMAN. New York.

Mr. WILLIS. The point is, just as it might have been according to you, payment of travel in the United States, but by the same token, wouldn't you be frank enough to say it could have been for travel to Europe?

Mr. ALMAN. I would have to look at the check rather than guess and speculate. If you show me the check and the stub, or if you want me to try to refresh my memory in some other way, I would be able to tell you with certainty, but as a piece of speculation I don't know what value it has. I don't know.

Mr. TAVENNER. Where are the checks and stubs?

Mr. ALMAN. I assume they are available.

Mr. TAVENNER. Where?

Mr. ALMAN. I assume if this committee wants them they will be made available.

Mr. TAVENNER. Where?

Mr. ALMAN. Offhand, I don't know. In all likelihood they would be at the offices of the present Sobell committee, but I am not certain. My guess is that is where they would be.

Mr. TAVENNER. We understood from the treasurer of the organization that a great deal of the material had been destroyed.

Mr. ALMAN. Well, a "great deal" covers a lot of ground.

Mr. TAVENNER. I mean a great deal of the records, financial records. Have they been destroyed?

(The witness consulted with his counsel.)

Mr. ALMAN. I am sorry, sir. I do not know the answer to that question.

Mr. TAVENNER. Did you at any time pay the expenses of an officer of your organization to go to Europe?

(The witness consulted with his counsel.)

Mr. ALMAN. Would you repeat that question, sir?

Mr. TAVENNER. Did your organization at any time pay the expenses of an official of your organization to travel in Europe?

Mr. ALMAN. Yes, sir. We did. Check stubs would carry that information. All our expenses were paid by check.

Mr. TAVENNER. Were the expenses of Mr. Brainin on his trip to Europe in April 1953 paid by your committee?

Mr. ALMAN. I shall decline to answer for the reasons I gave before, the fifth amendment, sir.

Mr. WILLIS. You realize that makes that trip pretty important?

Mr. ALMAN. Sir, I hope that everything we did, I know everything we did was important. In this case we hoped to bring about a remedy of a wrong we felt had been done.

Chairman WALTER. What business did your committee have in Europe?

(The witness consulted with his counsel.)

Mr. ALMAN. One of the things our committee was very much concerned with was the obtaining of legal opinion from lawyers, jurists, abroad.

Chairman WALTER. Of what value would the opinion of lawyers or jurists abroad be as to the criminal code of the State of New York or the United States?

(The witness consulted with his counsel.)

Mr. ALMAN. These people, sir, we thought, would be able to recognize an injustice if they saw one. We were concerned with their opinions in that respect. We also were concerned with bringing some firsthand reports of the case to people in Europe generally.

Mr. TAVENNER. Did that include taking to France the documents we have been discussing?

Mr. ALMAN. I shall decline to answer for the reason I have given before.

Chairman WALTER. The real purpose was to attempt to discredit the Government of the United States throughout the world; was it not?

Mr. ALMAN. Sir, I don't know how to reply to you because I want to be respectful and courteous.

Chairman WALTER. Don't bother being respectful.

Mr. ALMAN. That is a terrible misstatement. We were concerned with the honor and integrity of our country. An injustice had been done by people who we felt were unscrupulously using the courts to further their own political or private ambitions.

Chairman WALTER. Why call to the attention of people of other nations what you regarded as an imperfection in the system of the United States jurisprudence?

Mr. ALMAN. I didn't regard this case as an imperfection in our judicial system. I regarded the error made in our courts as an imperfection in the behavior of some individuals who were connected with the Attorney General's office.

Chairman WALTER. Why was anyone in any other nation concerned with that?

Mr. ALMAN. They simply were. The fact remains that from the beginning of this case, the beginning of the time that this committee began to work on the case, we received mail from individuals in Europe asking questions about the case, wanting more information, expressing opinions, asking, by the way, in great numbers for copies of the court record which we did send abroad.

Chairman WALTER. For what purpose?

Mr. ALMAN. Because people were interested in this case, sir.

Chairman WALTER. Proceed, Mr. Tavenner.

Mr. TAVENNER. Wasn't a second purpose of the national committee in sending Mr. Brainin, the chairman, to Europe at this particular time to lay the groundwork for agitation in Europe in behalf of the Rosenbergs?

Mr. ALMAN. If you would rephrase that question, sir, so that you would ask why we were concerned with opinion in Europe—

Mr. TAVENNER. I can't let you ask the questions and answer them, too. Will you answer my question, please.

Mr. ALMAN. Well, in the manner that the question is posed, I shall decline to answer for the reasons that I gave before.

Mr. TAVENNER. What are those reasons?

Mr. ALMAN. I do not wish to be compelled to become a witness against myself, and I therefore avail myself of the privilege under the fifth amendment.

But I will tell you this with respect to what you have called agitation in Europe.

Mr. TAVENNER. If you will not answer the question I asked, I don't think it calls for any comment from you.

Mr. TAVENNER. This morning I received an affidavit of O. John Rogge, with copies of two letters attached relating to the affidavit, which I will read. I ask Mr. Chairman that the following three documents be marked "Rosenberg Exhibit No. 1" and admitted in evidence as part of the record.

Chairman WALTER. It is so ordered.

Mr. TAVENNER (reading the above documents) :

ROSENBERG EXHIBIT No. 1

AFFIDAVIT OF O. JOHN ROGGE

STATE OF NEW YORK,

County of New York, ss:

O. John Rogge, being first duly sworn on oath deposes and says that :

1. I am engaged in the practice of the law as a member of the firm of Rogge, Zucker, Fabricant & Gordon, 401 Broadway, New York 13, New York.

2. I make this affidavit at the written request of Frank S. Tavenner, Jr., counsel to the House Committee on Un-American Activities.

3. I represent Ruth and David Greenglass and have represented them since sometime in June 1950.

4. Sometime, probably in April 1953, our file in this matter was stolen from our office and various of its contents, perhaps even all, photostated by unauthorized persons.

5. Then some of these photostats were reproduced in a Paris newspaper Combat. In my opinion these reproductions occurred abroad in order to divert attention from the author or authors of the theft of our file and make their detection more difficult.

6. Our file with the exception of a handwritten statement by David Greenglass was returned prior to April 29, 1953. The facts would indicate that the handwritten statement was returned on the night of April 29, 1953, for my partner, Mr. Murray A. Gordon, and my secretary, Miss Helen R. Pagano, looked through this file on April 29, 1953, and did not see this handwritten statement of David Greenglass; but this statement was found in the file on the following day, namely, April 30, 1953.

7. I am attaching to this affidavit copies of my letters of May 6, and June 5, 1953, to Mr. Emanuel H. Bloch, counsel to Julius and Ethel Rosenberg, with reference to his possession of any material which had been stolen from our file.

O. JOHN ROGGE.

Sworn to before me this 4th day of August 1955.

FREDA D. MAISEL,

Notary Public, State of New York.

Term expires March 30, 1956.

Chairman WALTER. Was Rogge in that case?

Mr. TAVENNER. He represented Greenglass.

MAY 6, 1953.

EMANUEL H. BLOCH, Esq.,
401 Broadway, New York 13, N. Y.

RE UNITED STATES V. ROSENBERG ET AL.

DEAR MANNY: At a conference held at our office with you on May 4, 1953, we advised you that what purported to be a photostat of a statement in writing by our client, David Greenglass, which photostat recently appeared in the Paris Combat, was an authentic photostatic copy of such a statement previously prepared at our request by David Greenglass. We further advised you that the photostatic copy in your possession of a typed memorandum dated June 19, 1950, and initialed "RHG" is likewise an authentic photostatic copy of a memorandum prepared by Mr. Robert H. Goldman on that date. Mr. Goldman was at that time a member of our firm. This latter memorandum pertained to information adduced by Mr. Goldman from Ruth Greenglass in connection with the above-entitled matter.

At our conference we further advised you that the originals of the foregoing documents were in our firm files and that they were never released therefrom to our knowledge or with our consent or approval. And we then also advised you that we had not released the originals or copies of the foregoing documents for publication or otherwise to anyone not connected with our firm, and, of course, we never knew, consented, or approved of any such release or use.

In the circumstances it is plain, and we have so told you, that the documents, photostats of which were published as mentioned and have come into your possession, must of necessity have been stolen from our files. We, at this time, have no knowledge of who perpetrated or was responsible for any such theft. Wherever the responsibility for such improper impairment of the security of a lawyer's confidential files may lie, and however innocent may be the manner in which you obtained photostatic copies of the materials mentioned, we feel certain that, having been advised that these materials have been stolen from our files, you will not hesitate to return to us any originals or copies, photostatic or otherwise, of any such materials which may have come from our files. We therefore request that you return to us any such originals or copies promptly and that you refrain from disclosing or using the contents thereof in any manner or fashion.

Of course, if by means of any legal process you are entitled to any documents, records, or other materials in our custody or control, such process has always been and remains available to you in order that you may safeguard fully the rights of your clients, defendants in the above-entitled prosecution. We do not at this time suggest what your legal rights in this respect may be, nor do we waive any objections that we may have thereto. But however broad or narrow your rights to obtain access to the described materials, we are confident you will agree with us—and that you will act accordingly—that the way, and the only way, to delve into the data accumulated by a lawyer in connection with the defense of a criminal case is by means of appropriate legal process rather than stealth and guile.

Very truly yours,

OJR: HRP

ROGGE, FABRICANT & GORDON.

cc: Bar Association of the City of New York; Chief Judge Knox, U. S. District Court, Southern District of New York; United States Attorney, Southern District of New York; Federal Bureau of Investigation, New York.

ROGGE, FABRICANT & GORDON,
June 5, 1953.

EMANUEL H. BLOCH, Esq.,
401 Broadway, New York 13, N. Y.

RE UNITED STATES V. ROSENBERG ET AL.

DEAR MANNY: By letter dated May 6, 1953, I asked you to return to us "any originals or copies, photostatic or otherwise, of any * * * materials which may have come from our files" in connection with the above-entitled matter. I made this request of you because, as I indicated in that letter, I was certain that

you would not hesitate to return documents which you knew to be stolen from our files.

By letter dated May 7, 1953, you enclosed and returned to us photostatic copies of a handwritten letter dated "Saturday June 1950" and a memorandum dated June 19, 1950, made by "RHG." In your letter of May 7 you stated that you had neither made nor retained copies of the foregoing documents, and, further, "I have not now nor have I ever had in my possession any other 'originals or copies, photostatic or otherwise, of any such materials which may have come from [your] files'." Subsequently by letter dated May 12, 1953, you communicated the contents of our correspondence of May 6 and May 7 to the Committee on Professional Ethics of the Bar Association of the City of New York and requested an opinion on problems which you considered to be posed by the circumstances herein.

I have just been advised that at a press conference held yesterday, June 4, 1953, by the Committee to Secure Justice for the Rosenbergs, that Committee released to the press what purported to be the contents of two memoranda: one dated "5/21/50" designated "Memo to OJR from RHG re: Greenglass"; and the second likewise designated "Memo re: Greenglass" dated "8/23/50" "from RHG to File." As you are undoubtedly aware any such memoranda of necessity came from our files; and this is particularly true concerning the August 23 memorandum which contained original handwritten notations, which notations were referred to by the Committee in the course of its press conference.

I understand, of course, that you are not retained by nor counsel for the aforesaid Committee. However, its alleged function is to secure justice for the Rosenbergs and it is inconceivable to me that it would not have brought to your attention or supplied you with copies of documents which that Committee deemed sufficiently relevant and material to the demonstration of the innocence of the Rosenbergs as to warrant a press conference and a release on those documents. Accordingly I feel that the circumstances here at least require from you an explanation of your assertion in your letter of May 7 that you had turned over to us all originals or copies of documents which came from our files.

I further call to your attention that in your letter of May 7 you explain that you had received the photostatic copy of the handwritten letter of June 1950 and of the typed memorandum dated June 19, 1950, from one Paul Villard, a French attorney, who in turn had received these documents from a French publication, "Combat." The correspondence which you enclosed in your letter of May 7, 1953, purported to show that the foregoing documents were the only documents which you had received from M. Villard. I think it is now appropriate that explanation be made of the source of the additional memoranda referred to; why the possession of those memoranda was not disclosed in your correspondence with me; and whether you have now in your possession any other documents, whether originals or copies, which appear on their face to have come from our files.

Very truly yours,

O. JOHN ROGGE.

OJR:HRP

cc: Chief Judge John C. Knox,
United States Courthouse,
Foley Square, New York;
Edward J. Lumbard, United States Attorney,
United States Courthouse,
Foley Square, New York;
Federal Bureau of Investigation,
290 Broadway,
New York City;
Committee on Professional Ethics,
Bar Association of the City of New York,
42 West 44th Street,
New York City.

Mr. RABINOWITZ. Mr. Chairman, might we have a short recess and might I have an opportunity to examine the affidavit?

Chairman WALTER. Certainly.

(Whereupon, a recess was taken from 10:52 until 10:57.)

Chairman WALTER. Are you ready to proceed?

Mr. RABINOWITZ. Yes, sir. Thank you.

Chairman WALTER. Proceed.

MR. TAVENNER. Mr. Alman, do you know the documents were obtained from the files of Mr. Rogge?

MR. ALMAN. I think first of all I would like to comment that Mr. Rogge's statement here authenticates the documents in question. There is no question as to the validity of these documents.

Chairman WALTER. You have been asked a simple question. Please answer it.

MR. ALMAN. I am going to invoke my privilege under the fifth. I do not wish to be compelled to become a witness against myself.

MR. TAVENNER. Then we have the situation where atomic secrets were stolen and now confidential files stolen.

MR. ALMAN. The documents in question, sir, indicate that no atomic secrets were stolen by the Rosenbergs and Sobells. That we have established. I would like to have an opportunity to read those documents. We have documents to prove the innocence of the Rosenbergs and Sobell.

Chairman WALTER. We are not trying the Rosenbergs here.

MR. ALMAN. You are asking a question.

Chairman WALTER. Did you take those files?

MR. ALMAN. I have answered that question, sir.

Chairman WALTER. No, you have not answered it. Did you take those files?

MR. ALMAN. I have answered that question, sir. I have invoked my privilege under the fifth amendment not to be compelled to become a witness against myself.

MR. TAVENNER. Do you agree that it is a Communist tactic to do just that sort of thing?

MR. ALMAN. I can't even understand that question, sir. To do what sort of thing?

MR. TAVENNER. I will strike the question.

Will you tell the committee, please, whether the statement in Mr. Rogge's affidavit that these documents in his judgment were reproduced abroad in order to divert attention from the authors of the theft—

MR. ALMAN. Sir, I cannot answer for the newspapers Combat and Le Monde as to what their purpose was in publishing these documents. I must assume they published them for the information of the French public.

MR. TAVENNER. How did the newspaper Combat get these papers?

MR. ALMAN. I cannot answer that question.

MR. TAVENNER. You mean you do not know?

(The witness consulted with his counsel.)

MR. ALMAN. I am going to decline to answer that question for reasons I gave before.

MR. TAVENNER. Mr. Chairman, I should advise you that I think the record should show that Mr. Brainin was subpoenaed to appear as a witness at this hearing, but was unable to appear according to a doctor's certificate which was presented.

MR. WILLIS. Let me ask you a question as a matter of information. At the conference where comment was made on these documents, the statement made to the press at that conference, was that a release of the reprint of those documents in the French paper, or an original release to the American press? Do you know that?

MR. ALMAN. I am sorry.

Mr. WILLIS. I am asking counsel.

Mr. TAVENNER. I am not certain. The witness probably was in a position to know.

Mr. WILLIS. Was the subject of that conference released to the press or are you just developing that a conference was had about these papers? Were the documents turned over to the press, Mr. Witness, the photostatic copies, or merely a reprint of an article?

Were the documents turned over to the press, Mr. Witness, the photostatic copies, or merely a reprint of an article?

Mr. ALMAN. Photostatic copies of the material were turned over to the press plus a statement by Mrs. McCarthy authenticating the handwriting of David Greenglass.

Mr. TAVENNER. Where did you get those documents?

Mr. ALMAN. I shall avail myself of the privilege under the fifth amendment not to be compelled to testify against myself.

Mr. TAVENNER. Mention is made in the course of one of these letters that Mr. Emanuel Bloch received photostatic copies from an attorney in France by the name of Paul Villard, who in turn had received the documents from the French publication Combat. Did your committee receive photostatic copies from Mr. Paul Villard?

Mr. ALMAN. I shall decline to answer that question for the reasons I gave before.

Mr. TAVENNER. Had your committee had any correspondence with Mr. Paul Villard prior to April 18, 1953?

Mr. ALMAN. I cannot recall. I would not know the answer to that at this moment, sir.

Mr. TAVENNER. Were you advised by Mr. Joseph Brainin that he had conferred with Mr. Paul Villard in Paris between April 10 and 14 when he was there?

Mr. ALMAN. I decline to answer that question for the reasons I gave before.

Mr. TAVENNER. What was the purpose of Mr. Brainin going to Rome?

Mr. ALMAN. I shall decline to answer that question for the reasons I gave before.

Mr. TAVENNER. What was his purpose in going to London?

Mr. ALMAN. I shall decline to answer that question for the reasons I gave before.

Mr. TAVENNER. Mr. Chairman, there was some very pertinent testimony given at a prior hearing to this committee which was especially significant in connection with this hearing, and I would like to make reference to it and read part of it into the record as a basis for several questions to this witness.

Chairman WALTER. Proceed.

Mr. TAVENNER. Mr. Alman, a man by the name of Patrick Walsh, a Canadian, announced publicly in the press in February 1953 his resignation as a member of the Communist Party of Canada, and his simultaneous resignation from a number of organizations to which he belonged, and which he described in effect as Communist-front organizations.

We secured the attendance of Patrick Walsh as a witness before this committee just a few months after that in hearings conducted in Albany, N. Y., in July 1953. Mr. Walsh had been one of the leading Communists in Canada, I mean active working Communist. He had been a keyman in the Canadian Seaman's Union strike in 1949, which

according to his testimony was planned and organized by the Maritime Commission of the Communist Party in Italy, and which was designed to extend itself into a worldwide maritime strike, the purpose of which was to defeat the Marshall plan, as a Soviet move. It is one of the clearest statements of international Communist conspiratorial methods that this committee has had. I shall not go into any of this testimony with the exception of this.

I asked him why he got out of the Communist Party. He said it was on account of the Rosenberg matter. He describes here what may well be a pattern for Communist Party activity in connection with the Rosenberg matter. The testimony reads as follows:

Mr. TAVENNER. The committee discovered in February of 1953 through the public press that you had announced your resignation from a number of Communist organizations. Was that the time that you severed your participation in the Communist movement?

Mr. WALSH. Yes. When I resigned I resigned from all Communist organizations, and I named specifically at least 9 or 10 organizations where I held executive positions.

Mr. TAVENNER. And this occurred as late as February of 1953?

Mr. WALSH. To be very exact, because it has been one of the greatest days in my life, it was on February 27, 1953.

Mr. TAVENNER. The committee is interested to know what motivated you in taking that action.

Mr. WALSH. Well, there were many factors which motivated me, but the really deciding factor was the question of the Rosenbergs.

Mr. KEARNEY. What do you mean by the "question of the Rosenbergs?"

Mr. WALSH. Well, I was in the Canadian Union of Woodworkers, and I received instructions from Ilio Bosi of the World Federation of Trade Unions; Bosi was my boss in this section to which I belonged, and to which I had been transferred.

Parenthetically, I should state that the World Federation of Trade Unions is the same organization which is now functioning in Prague and is spreading its propaganda material throughout the United States, particularly in the field of labor, that it is the same organization which the American Federation of Labor refused to join because of its Communist character. It is the same organization which the CIO did affiliate with and, as it appears, largely for the purpose of disclosing the Communist Party activities of that organization, which it did, and after which it got out.

Mr. RABINOWITZ. Mr. Chairman, can the witness be excused while Mr. Tavenner completes his testimony?

Mr. TAVENNER. That is a rather facetious remark. I can understand why some people don't want to hear the facts regarding communism.

Mr. ALMAN. I am concerned about the facts in the Rosenberg-Sobell case, sir. I don't see what all this has to do with the Rosenberg-Sobell case. You were talking about documents and new evidence before. Why not read them into the record?

Mr. TAVENNER (continuing to read):

Mr. WALSH. The World Federation of Trade Unions has different sections. As you have noticed, I spoke this afternoon and this morning on the seaman and dockers section, and later I was transferred to the agriculture and forestry workers' section, and as such I was directly under the orders of Ilio Bosi.

Now, I am mentioning Bosi's name, because it will come out sooner or later that he was the main Communist responsible for the triumph of the popular front in Guatemala in 1950. Bosi made a secret trip by plane to Cuba, and from there he went to Mexico, and from Mexico he went to Guatemala, where he succeeded in creating through Communist organizations the basis of what is

known today as the Arbenz Popular Front Government. This Bosi is an old-time agent of both the Comintern, which was dissolved, and the present-day Cominform, which is the international Communist organization.

Mr. SCHERER. Where does he live?

Mr. WALSH. He lives in Rome, Italy, but he is often in Moscow. He travels about quite frequently. Now I have evidence to substantiate that, and I am going to submit to your committee letters from Bosi and also a report on his trip to Guatemala in 1950, as I referred to it. Bosi sent me this letter knowing I was an oldtime and trusted Communist, and in this letter he requested that our union, the Canadian Union of Woodworkers, that we should pass a resolution and send him a copy in favor of clemency for the Rosenbergs.

Now, I think I will have to go back to explain, because of my status in the civil liberties front organization, what I know about the Rosenberg case as it relates to Canada.

May I ask, did your organization send any representative to Canada?

Mr. ALMAN. All I can say to you, sir, is that the poor Rosenbergs are now charged with some connection with a strike in 1949 of seamen in Canada.

Mr. TAVENNER. I am not charging the Rosenbergs——

Mr. ALMAN. Some government in Guatemala. I cannot really understand.

Mr. TAVENNER. The Communist Party——

Mr. ALMAN. I will tell you this as a point-blank statement in respect to Communists or any other political party, if any——

Mr. WILLIS. That is not the question.

Mr. ALMAN. If anybody would have attempted to do it for their purposes, they would have had to answer to me. I would not permit any political party or group to use the Rosenberg case for any purposes except for the purpose of justice.

Chairman WALTER. Do you think you are fooling anyone with that statement? Answer the question.

Mr. ALMAN. Will you repeat your question?

Mr. TAVENNER. My question was whether or not your national organization at any time sent a representative to Canada in behalf of the Rosenbergs.

Mr. ALMAN. We sent speakers to Canadian cities at their request.

Mr. TAVENNER. Did you send a representative there to organize work in behalf of the Rosenbergs?

Mr. ALMAN. No, sir; we did not.

Mr. TAVENNER. Continuing to read the testimony of Mr. Patrick Walsh:

In 1951 I was on the executive board of the League for Democratic Rights, more commonly known in Canada as the LDR, and which is the counterpart of the Civil Rights Congress which you have in the United States, and which is the Communist front in the civil liberties group.

It is called the Civil Rights Congress, and I have been getting the material and letters from Patterson, and so on, and so forth, for the past 3 years, copies of which also will be submitted to the committee. Now in 1951 we held a meeting, it was in the latter part of 1951, and this question of the Rosenbergs came up, whether we as Canadian Communists should not take up the clamor for clemency, and William Cashton, who was formerly the leader of the Communist league and is now an official of the Labor Progressive Party, he told us that the Communist Party in Canada, the LPP was going to keep its hands off the Rosenberg affair because of the similarity of the names of Julius Rosenberg and Fred Rose, whose real name, incidentally, is Fred Rosenberg.

Now, after the Canadian spy trials of 1946, the Canadian Communists were dealt a severe blow when it was revealed publicly that so many prominent Communists, including a member of Parliament, had been openly engaged in espionage

against the Canadian Government, and there are many people who broke away from the party at that time because they did not want to go that far. They did not consider that treason was accepted Communist Party doctrine and that is why the Fred Rose case has been a very touchy one. Cashton explained to us in Toronto that we should just forget all about the Rosenberg affair.

Now, sometime last year, apparently, I haven't got the actual proof, but apparently the worldwide campaign for clemency for the Rosenbergs, which was being sponsored, directed, and supported by Soviet agents all over the globe—and I have newspapers and publications and pamphlets from nearly every country where the Communist Party has an organization—and it is no coincidence that all these appeals follow along the same pattern. It was decided that Canada should not be an exception, and that we should join the hue and cry of the Rosenberg clemency campaign.

Now, the way the League for Democratic Rights went about this is an illustration of Communist tactics. They sent word to Regina—in Saskatchewan, that is, western Canada—to a Communist there that he should write in and suggest that people in the west were bothered about this Rosenberg affair and that in his opinion we should start a campaign in favor of the Rosenbergs.

Mr. TAVENNER. Was he a person of any known record in the Communist Party?

Mr. WALSH. Well, he was a member of Parliament, a Communist member of Parliament, and his name is William Kardash, the well-known leader of the Ukrainian Communist section of the party for the past 20 years, and also a leader of the International Brigade in Spain between 1936 and 1939.

So Kardash wrote to the League for Democratic Rights and we had the excuse that it was not something that was coming from the central body. It was not a campaign that was being imposed because of the decision of leadership, but that people from the west were anxious that we should do something about it and in about 2 weeks we began to flood the country with "Save the Rosenbergs" pamphlets, petitions, circulars, and whatnot.

Now, I knew from a study of the Rosenbergs' case that in my opinion both Rosenbergs were guilty, and I was not surprised that such people had been carrying on espionage activity because of my long experience with the Communist Party. And in my heart and soul I knew that they had had every possible chance for defending themselves and that they could thank God they were living in America where they had the right to have a lawyer and to defend themselves and to enjoy the benefits of counsel, something which is denied to every citizen in the Soviet Union and every other country behind the Iron Curtain. They certainly had more chance than Comrade Beria is going to get, and in my heart and soul I could not endorse or have anything to do with something which smacked of treason.

So at a meeting of the Canadian Union of Woodworkers executives, I publicly—this was on December 15, 1952—I opposed the resolution by the president, Gerard Fortain, who was a well-known Communist leader in Canada, I opposed his resolution that in the name of 100,000 bush workers, which incidentally we did not represent, because at the very most we had only 5,000 members, that in the name of 100,000 French Canadian bush workers we were going to request President Eisenhower to grant clemency to the Rosenbergs. I opposed the motion, and I made a vigorous statement which even rallied some of the Communists, and the motion was voted down.

But I knew from that day on that my days were counted, that if I didn't move fast they would. So I prepared everything and I got as many documents and letters as possible, and I timed my resignation so that it would have the most effect against Communist Party plans in Canada. That was one of the factors, the question of the Rosenbergs.

Now, Mr. Alman, I call special attention to the part of Mr. Walsh's testimony where he describes Communist tactics, of having someone write in in behalf of a campaign in favor of the Rosenbergs so that it would not appear as something coming from the Communist Party cell. Was that tactic or pattern used in the United States in regard to the way in which the work of formation of your organization began?

Mr. ALMAN. By whom, sir?

Mr. TAVENNER. By anyone.

Mr. ALMAN. I would have absolutely no way of knowing that at all. Everything that our committee did was in the open daylight. Everything that we did we wanted to make public. Everything that we did we did in as direct a fashion as we knew how.

Mr. TAVENNER. The national committee to secure justice for the Rosenbergs in the foreword of a pamphlet entitled "To Secure Justice in the Rosenberg Case," states this:

But a full report of the case was not made available to the public until August 1951, when the National Guardian began to publish a series of articles by William A. Reuben. His revelations have confirmed the fears of many who had doubted the guilt of the Rosenbergs and convinced many others who had not followed the case originally. As a result of this series, the National Committee to Secure Justice in the Rosenberg Case was formed.

Is that a correct statement of the origin of your committee?

Mr. ALMAN. That statement, sir, is partially correct. It is a rather broad kind of statement. The fact is that no one circumstance created the National Committee To Secure Justice in the Rosenberg Case, and if you are opening that question, sir, I am prepared to speak on it.

Mr. TAVENNER. You state that the statement appearing in that pamphlet over the name of your committee is only partially correct?

Mr. ALMAN. Well, I would say this, that the articles that appeared by Mr. Reuben in the National Guardian certainly gave a great deal of impetus to the formation of such a committee because—

Mr. TAVENNER. Well, your committee over its name has said that that was the basis for the formation of it. Is it right or wrong?

Mr. ALMAN. Well, in the sense that the facts disclosed by Mr. Reuben were the central reasons for our belief that a miscarriage of justice had occurred, in that sense his articles, which were the first to bring these facts together, did result in the formation of the Rosenberg-Sobell committee.

Mr. TAVENNER. Did not your committee use the articles published by the National Guardian in a calculated attempt to make it appear that there was a public demand or interest outside of the Communist Party for a campaign in behalf of the Rosenbergs?

Mr. ALMAN. Well, I know of my own accord that there was interest, at least among people I spoke to.

Mr. TAVENNER. But why was it that you resorted to the tactic—

Mr. ALMAN. We did not resort to tactics.

Mr. TAVENNER. Just a moment.

Mr. ALMAN. I mean the phrase itself is one that loads the question beyond any kind of comprehension.

Mr. TAVENNER. Let us change that and make it less drastic.

Why did your committee resort to the plan that it did resort to in publishing in the foreword that the basis for the formation of the organization was the articles appearing in the National Guardian?

Mr. ALMAN. I have just explained that, sir. Those articles contained the facts in the Rosenberg-Sobell case, or at least they dealt with certain aspects of that case.

Now, it is on the facts themselves that the National Committee to Secure Justice in the Rosenberg Case was formed. If there had been no miscarriage of justice, in my opinion there would have been no National Committee to Secure Justice in the Rosenberg Case.

MR. TAVENNER. You are aware of the fact, are you not, that there was peculiar silence on the part of the Daily Worker regarding this whole matter during the period of the formation of your organization?

MR. ALMAN. I am aware of the fact, sir, that there was a peculiar silence, in my opinion, on the part of the entire country's newspapers. I think that our newspapers have an obligation to the citizenry, I think they have an obligation to look into the facts where there is question. Some newspapers did this. Some newspapers did not.

When the campaign was over, a number of newspapers had come out for clemency, like the Chicago Daily News, the Laredo Times of Texas, other newspapers as well.

I think it was a most unfortunate thing that our large metropolitan newspapers did not accept as an obligation the most thorough screening of the facts in the Rosenberg-Sobell case.

Chairman WALTER. Did you see the editorial in the St. Louis Post Dispatch, a very liberal newspaper?

MR. ALMAN. I saw a number of editorials in that newspaper, sir. One I remember in particular after the execution where they said they felt that the Supreme Court should be obliged in every capital case to review the case because the Supreme Court had never reviewed the Rosenberg-Sobell case.

Chairman WALTER. That is not what the editorial stated. It stated that they made a very careful examination of all the facts in connection with this case and were convinced that there was no miscarriage of justice.

MR. ALMAN. They had an editorial to that effect, yes, they did, sir.

MR. TAVENNER. Will you tell the committee, please, when the first suggestion was made for the formation of such a committee, as far as you know?

MR. ALMAN. We were neighbors of the Rosenbergs in the sense that we lived in Knickerbocker Village, a housing development on the East Side. They occupied an apartment in that development. We were naturally interested, if for no other reason than for the reason of proximity. There were several things that we read in the newspapers that did not seem to us to be consistent, either with the behavior of espionage agents or with what we could see, even though not at close range, of the Rosenbergs.

For example, it appeared to us extremely unlikely that people engaged in espionage on behalf of Russia would themselves be, as the prosecution charged, openly active in Communist causes. It appeared to us that espionage agents would more likely attempt to conceal the—

MR. TAVENNER. I asked you when the first suggestion was made for the formation of such a committee, as far as you knew?

MR. ALMAN. I have to answer the question, sir, in my own words.

MR. TAVENNER. Let me repeat the question to you so that you know what it is. I think you have forgotten what it is.

MR. ALMAN. I remember what it is.

Chairman WALTER. What was the question?

MR. ALMAN. When was the first suggestion made that a committee be formed around the Rosenberg case.

MR. TAVENNER. That is right.

Chairman WALTER. When was it? What month?

Mr. ALMAN. Well, I have to come to that. I cannot simply give you a date.

Chairman WALTER. What date was it?

Mr. ALMAN. I have to come to that.

Chairman WALTER. What year was it?

Mr. ALMAN. I should like to be permitted to explain—

Chairman WALTER. What year was it? Answer the question.

Mr. ALMAN. All right, sir. This was in the fall of 1951.

Chairman WALTER. All right, now that is an answer to the question.

Chairman WALTER. Proceed, Mr. Tavenner.

Mr. TAVENNER. The conviction was in April, was it not, of 1951?

Mr. ALMAN. The conviction was in March, I believe, the end of March. The sentence was given the beginning of April.

Mr. TAVENNER. Why did you wait from April 5 to the late fall to start a movement for such a campaign?

Mr. ALMAN. I waited because I did not know enough about the case at the time, because my first impression, frankly, was that the Rosenbergs were guilty. It was not until I had read the court record and studied the case that I became convinced that the Rosenbergs and Morton Sobell were innocent.

Mr. TAVENNER. Then it was as a result of that conviction on your part that you instigated the movement for the formation of this committee?

Mr. ALMAN. As a result of that conviction on my part, I conferred further with other people whom I had spoken to as to what might be done to bring the facts in the case to light.

Chairman WALTER. With whom did you confer?

Mr. ALMAN. Those of us who were convinced that the Rosenbergs either were innocent—

Chairman WALTER. You said that you conferred with others. With whom did you confer? You said, "I conferred with others." With whom did you confer?

Mr. ALMAN. We decided at that time to—

Chairman WALTER. I asked with whom did you confer?

Mr. ALMAN. I will decline to answer that question, sir, on the grounds of the fifth amendment.

Chairman WALTER. Were any of the people with whom you conferred non-Communists, or were they all Communists?

Mr. ALMAN. Do you really want an answer to that question, sir?

Chairman WALTER. Yes.

Mr. ALMAN. I did not ask anyone what their political opinions were, what their affiliations were, what they thought about any subject under the sun, except the subject of the Rosenbergs and Sobell.

Chairman WALTER. The fact of the matter is that you conferred only with Communists concerning—

Mr. ALMAN. Have you established that as a fact, sir?

Chairman WALTER. Proceed, Mr. Tavenner.

Mr. ALMAN. You cannot establish that as a fact. There is no such fact. The facts in the case have nothing to do with that, as a matter of fact. The facts have to do with new evidence that you raised before, but you will not put in the record. That is what the facts are. There would be no Rosenberg-Sobell campaign in this country had this not been a miscarriage of justice, had there not been perjured witnesses. That is what created the campaign.

Mr. TAVENNER. Were you a member of the Communist Party at the time you had the conferences you referred to?

Mr. ALMAN. I am not going to answer that question on the grounds of the fifth amendment, sir.

Mr. TAVENNER. Did any of the persons you discussed this matter with on the occasion that you mentioned become officers of this organization, the National Committee To Secure Justice in the Rosenberg Case?

(The witness confers with his counsel.)

Mr. ALMAN. Well, I can answer in respect to myself. I did become an officer, yes.

Mr. TAVENNER. You know I am not speaking of you. We know that you did, that you considered yourself as one of the participants.

Mr. ALMAN. Will you repeat the question?

Mr. TAVENNER. Will you read him the question?

(Question read by reporter.)

Mr. ALMAN. I shall decline to answer that question for the reasons given before.

Mr. TAVENNER. Was Louis Harap one of the group you consulted?

Mr. ALMAN. I shall decline to answer the question for the reasons I gave before.

Mr. TAVENNER. How were you chosen as the executive secretary?

Mr. ALMAN. A public meeting was in preparation in New York for March of 1952 at the Pythian Temple in New York. At that time, it became quite obvious that the work involved required that some one give full time to the meeting, the preparation of materials, and it was agreed that I would become executive secretary.

Mr. TAVENNER. What was the practice of your committee about paying money back to certain individuals connected with the local organizations who were collecting money for your national organization?

Mr. ALMAN. Are you asking what was our practice in returning loans made to us?

Mr. TAVENNER. No, not loans. The payment of money for services or otherwise.

Mr. ALMAN. We paid by check, sir.

Mr. TAVENNER. Yes, but what was your practice about doing it?

Mr. ALMAN. That was the practice, sir, we paid by check.

Mr. TAVENNER. I am not asking the manner of payment. What was your practice in paying it back? How did you select individuals in the locality to pay money over to?

Mr. ALMAN. Well, where a group was formed in a city that felt it needed some assistance from the national committee to conduct these public meetings, organize other activities, and if they felt that they did not have sufficient funds to pay someone consistently, the national office, if it had the money at the time and it felt that a great deal of good would come of it, would agree to pay the salary of someone that the people in that particular city might select.

Mr. TAVENNER. Did you pay a salary for a while of \$70 a week to Sue Koritz, the secretary of the committee in Boston?

Mr. ALMAN. I decline to answer that question under the privilege of the fifth amendment, sir.

Mr. TAVENNER. For what purpose was the salary paid to her by the national organization when she was collecting money through fund drives in Boston for the national organization?

Mr. ALMAN. Any salaries paid to anyone were for the purpose of permitting them to give all their time and energies to the bringing of the truth in the Rosenberg-Sobell case to the public in their cities and areas.

Mr. TAVENNER. Now, Philip Koritz is one of the witnesses who testified here. He refused to deny Communist Party membership after his identification was presented to him, made by witnesses under oath before this committee. He was likewise paid a salary of \$75 for a period of time in Boston, was he not?

Mr. ALMAN. I decline to answer that question for the reasons I gave before.

Mr. TAVENNER. Josephine Granat, from Chicago, who appeared here as a witness and who refused to deny Communist Party membership, was paid a salary of \$75 a month by your national organization over a period of time, was she not?

Mr. ALMAN. I decline to answer that question for the reason I gave before.

Mr. TAVENNER. The committee's investigation discloses that Don Rothenberg received legal fees of \$225 on June 20, 1953; \$75 on June 6, 1953; \$75 on June 1, 1953; \$200 on May 26, 1953. What was the purpose of that payment to Don Rothenberg for legal fees?

Mr. ALMAN. I decline to answer that question for the reasons I gave before.

Mr. TAVENNER. If there is any error about the payment being for legal fees, were such payments made to Mr. Rothenberg?

Mr. ALMAN. Any legal fees that we may have paid, sir, were paid to one of two categories of people, either to attorneys directly or to printers for printing legal briefs.

Mr. TAVENNER. Yes; but you are not answering my question.

Mr. ALMAN. I believe I am, sir.

Mr. TAVENNER. It was not an answer. My question is, If the committee's information about these payments having been made to Mr. Rothenberg for legal fees is in error, what were the payments made for?

Mr. ALMAN. I am unable to answer questions about payments, as all our payments were made by check, without having those checks before me, the stubs, and the opportunity to attempt to refresh my memory as to what the payments were made for.

Mr. TAVENNER. You do recall that Mr. Rothenberg was paid substantial sums by your national committee, do you not?

Mr. ALMAN. I decline to answer that question for the reasons I gave before.

Mr. TAVENNER. Have you been aware that Mr. Don Rothenberg was not a member of the legal profession?

Mr. ALMAN. I decline to answer that question for the reasons I gave before.

Mr. TAVENNER. You know that he is not a lawyer, do you not?

Mr. ALMAN. I decline to answer that question for the reasons I gave before, and state to you again that all moneys paid out for legal purposes were either paid to attorneys or were paid to printers for printing up legal briefs.

Chairman WALTER. But this shows the payment of legal fees to a man who is not a lawyer.

Mr. ALMAN. Sir, I do not know what it shows. I haven't seen it. I read the newspapers in the Rosenberg-Sobell case there and when I read the record I read an entirely different story, as you would, too, sir, if you read that record.

Chairman WALTER. For your information, I would like to tell you that a Communist lawyer came to me, because I happened to be the ranking member of the Judiciary Committee, and asked me to intercede and endeavor to obtain justice, and I did examine the record. I was assisted in that examination by a very fine staff member of the Committee on the Judiciary. And if there was ever a conviction within the framework of our constitutional laws, it was that. So do not tell me to read the record.

Mr. ALMAN. Have you read the new evidence that contradicts the testimony? Have you read David Greenglass' own statement in his own handwriting where he refutes his own testimony? Have you read that, too, sir? Why is there an attempt to conceal the truth in this case? Why don't we talk about the David Greenglass statement?

Chairman WALTER. It is you who is concealing the truth.

Mr. ALMAN. An organization that conducts itself publicly, that fights its way into a bank, as we did, that publishes its material publicly and holds its meetings publicly is not an attempt to conceal anything.

Mr. TAVENNER. Did your committee make an all-out effort to attempt to get organized labor to support your campaign in behalf of the Rosenbergs?

Mr. ALMAN. Our committee went, or attempted to get the support of unions, clergymen, teachers, housewives, scientists, businessmen, labor leaders—the list is endless, sir—Congressmen, Senators.

Mr. TAVENNER. Let me read into the record what is said by the Daily Worker in an article entitled "World of Labor" by George Morris, under date of June 22, 1953. I am not quoting the entire article but I am quoting enough of it to demonstrate clearly what the views of the Daily Worker were about the attitude of organized labor in this matter.

I read as follows:

The brutal murder of the Rosenbergs in face of the rapidly rising protest of world opinion was therefore unquestionably a serious blow against the people, an arrogant display of Wall Street's puppets in Government, of their master role in the capitalist world. But it is even more important to see that the decision to go through with the heinous crime stems not from strength but from weakness. The criminals hastened to carry out their deed in the belief that it would stem the worldwide movement, clamp a lid over the truth that was breaking into the open and thereby close the case.

The criminals have already paid a very high price for taking the two lives. Throughout the world there is a rapidly mounting hatred of the United States imperialists. As in previous major frameups, the high tide of popular pressure came too late to make the difference between life and death but the trend was definitely toward victory and was even reflected in the minority of four in the Supreme Court. Victory could have been the result if the main sections of the labor movement had supported the strike.

The main stem of labor's officials played a more despicable and cowardly role and conspiracy to keep silent on the Rosenberg case has even affected some trade unionists in the progressive camp. It instilled in some of them, too, a fear to speak out or a fatalistic what's-the-use feeling.

In contrast to the shameless and cold-blooded attitude of most leaders of American labor, we have the facts—

and there the author refers to the action of trade unions in Europe, in the countries of France, Italy, and England.

The labor movement—
the article states—

can have an important role in the new stage in the Rosenberg fight.

Now, that is a very scathing criticism of labor by the Communist organ, the Daily Worker, indicating that organized labor had not fallen for the Communist plan to engage and assist in the propaganda effort that was being made, though I understand that your organization did everything it could to obtain the support of labor.

Mr. ALMAN. Would you want me to comment on that article, sir, because I am willing to.

Mr. TAVENNER. Let me ask you this about the article. Was it not a case where the Communist Party could not fool the labor organizers in this matter?

Mr. ALMAN. I am willing to comment on that article, sir, in my own words, and I would like to do so now.

I do not think that the author of that article knew what he was talking about when he said that American labor ignored the Rosenberg-Sobell case. There were 3 to 4 million people who eventually, in one form or another, expressed their opinion on this case. Among them must have been millions of people who belonged to trade unions.

Mr. TAVENNER. The article does not refer to rank-and-file members. It refers to organized labor.

Mr. ALMAN. I have never been concerned with whether the people were rank and file, or leaders, or what have you. I am concerned with whether they spoke up on the case, whether their feeling in this case is one that reflected the facts in the case, whether they were concerned with humane things, with just things. I am not concerned, as I told you yesterday, with titles and labels, because to me that is nonsense.

I live by what I know. I study things that I want to know. I get convictions on that basis. I don't turn away from a book and say I will not read that book because it is Republican, Democratic, vegetarian, Communist, or anything else.

If you want to know, there is a paragraph in that article which refers, to some extent, to the United States being held in contempt, or something of that sort, by the people of Europe. If that is so, sir, the responsibility for that must lie at the doorstep of the prosecutors who intended to get a conviction regardless of the facts, who would get a conviction in the face of the facts, who used newspaper hysteria and every other means to obtain a conviction. They are responsible for disgracing the good name of our country, which I and others tried to defend in this case.

Chairman WALTER. I will give you a little enlightenment. You and your crowd did not succeed in doing that. The people of the world appreciate the fact that \$38 billion of American taxpayers' money has made the world more prosperous than it has ever been, and you did not get away with what you tried to do to discredit this country in the eyes of other nations.

Mr. ALMAN. The prosecution in this case discredited this country. They were more concerned with their own reputations than the reputation of this country.

Chairman WALTER. Proceed, Mr. Tavenner.

Mr. TAVENNER. How do you explain this, Mr. Alman? Here we have a situation in which the titular head of your organization, according to committee testimony, was a member of the Communist Party. That is Mr. Harap.

You, yourself, as executive secretary, declined to state whether or not you were a member of the Communist Party.

Mr. ALMAN. And I told you why, sir.

Mr. TAVENNER. The treasurer declines to so state.

Mr. ALMAN. And she stated why.

Mr. TAVENNER. Mr. Herman Tamsky declined also, as the chairman of the Communist Party group in a highly sensitive area, a key city in the United States, as to whom there is evidence identifying him as a member of the Communist Party. And Sue Koritz, the executive secretary in this same key city, was identified as a member of the Communist Party and her husband, Philip Koritz, very active in the party work, that Donald Rothenberg from Cleveland, having been identified as a member of the Communist Party, and who refused to testify on the subject, was active, as one of the national officers and probably the Washington representative as far as we can find out of your organization. And John Gilman, the head of the Civil Rights Congress in Milwaukee, and identified as a Communist Party member. That here in the city of Washington, John Stone has been identified as a member of the Communist Party.

Mr. WILLIS. You mean at the same time were local level officers of the national organization to secure justice in the Rosenberg case?

Mr. TAVENNER. Yes; all of whom were staff members of the local groups or instrumental in the organization of them.

And Ethel Weichbrod, the executive secretary in Washington, who refused to testify.

We find it was the Communist Party in Allentown that organized the local group of your committee and Mrs. Jean D. Frantjis in Philadelphia, a member who would not admit being actively participant as a staff member and who would not testify as to her Communist Party membership. And numerous other people active in these organizations who have been shown to be members of the Communist Party, including, in the city of Detroit, Ruth Belmont, an official; Josephine Granat in Chicago, who would not testify regarding Communist Party membership; Eve Neidelman in Detroit, who had been identified before this committee as a member of the Communist Party and under circumstances which would indicate her official connection with the local committee in Detroit. And Pat Rush, identified as a member of the Communist Party, who was executive secretary in the city of Detroit, of your organization. And Dr. Leonard Tushnet, in Newark, N. J., who was the head of the organization. And William B. Esterman, an attorney in Los Angeles, was the head of your organization.

Do you expect us to believe that it is just a coincidence that all those Communist Party members took the lead in the work of your group?

Mr. ALMAN. Sir, there are many things I could say to that.

Let me say this, speaking for myself. I studied the court record of the Rosenberg-Sobell case. There was a witness there, David Greenglass—this is how David Greenglass' wife describes him. She said, "He would say things were so, even if they were not." This, she states to her attorney. I do not know the witnesses who spoke here and named people as Communists or otherwise, but it is a fact, sir, that there are people who say things that may not be so.

Chairman WALTER. Will you name an officer of your organization who is not a Communist? Will you name one single officer in your organization who is not a Communist?

Mr. ALMAN. The fact is——

Chairman WALTER. Will you name one officer who is not a Communist?

Mr. ALMAN. May I finish, please?

Chairman WALTER. Will you name one officer who is not a Communist?

Mr. ALMAN. I would like to finish the answer.

Chairman WALTER. You are not answering any question. You are reading from something you brought in here this morning.

Tell me this: Do you know any officer in your organization who is not a Communist?

Mr. ALMAN. I have answered that question quite a number of times here, sir. I did not ask.

Chairman WALTER. Do you have any more questions, Mr. Tavenner?

Mr. TAVENNER. Yes.

I want to go back to a matter that you referred so that I may more clearly understand it, in the very beginning of your testimony. You said that you were employed in connection with an organization interested in Greece. What was the name of the organization?

Mr. ALMAN. The American Council for a Democratic Greece.

Mr. TAVENNER. Was it your job to help raise funds for that organization?

Mr. ALMAN. Not to my recollection, sir.

Mr. TAVENNER. Was the organization successful in raising substantial funds in New York City and other places?

Mr. ALMAN. I don't think I was familiar enough with that organization to be able to answer that question. I will, however, say I must assume that the organization did raise money.

Mr. TAVENNER. The committee has received information indicating that as much as \$75,000 was raised in a short period of time, I think in the area of New York. Would that sound unreasonable to you as the amount that they may have raised?

Mr. ALMAN. I honestly would have no way of knowing. You might ask me that about \$10,000 or \$100,000. I simply don't know.

Mr. TAVENNER. Will you tell the committee whether or not substantial sums raised in this country were sent to a newspaper in Greece, known as Rizopastis?

Mr. ALMAN. Not to my knowledge, sir; no.

Mr. TAVENNER. What was done with the money?

Mr. ALMAN. With what money?

Mr. TAVENNER. The money that was raised for this organization.

Mr. ALMAN. I must assume it went for salaries or public meetings.

(The witness confers with his counsel.)

I mean, these are things that just occurred to me as the normal practices of an organization. Beyond that I am simply not familiar with the workings of the organization, or was not, to the extent that I could answer that question.

Mr. TAVENNER. To your knowledge, did any funds of this organization go for Communist Party purposes in Greece?

Mr. ALMAN. Not to my knowledge, sir.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Chairman WALTER. Do you have any questions, Mr. Willis?

Mr. WILLIS. No.

Chairman WALTER. The witness is excused.

(Whereupon the witness was excused.)

Chairman WALTER. The committee will be in recess until 1:15 sharp.

(Whereupon, at 12 noon, a recess was taken until 1:15 p. m., this same day.)

AFTERNOON SESSION, AUGUST 5, 1955

The CHAIRMAN. The committee will be in order. Call your next witness.

Mr. TAVENNER. Mr. Louis Harap.

Chairman WALTER. Do you swear the testimony you are about to give will be the truth, the whole truth, nothing but the truth, so help you God?

Mr. HARAP. I do.

TESTIMONY OF LOUIS HARAP, ACCOMPANIED BY COUNSEL,
JOSEPH FORER

Mr. TAVENNER. What is your name?

Mr. HARAP. Louis Harap.

Mr. TAVENNER. How do you spell Louis?

Mr. HARAP. L-o-u-i-s.

Mr. TAVENNER. It is noted that you are accompanied by counsel. Will counsel please identify himself for the record?

Mr. FORER. Joseph Forer, 711 14th Street NW., Washington, D. C.

Mr. TAVENNER. Where were you born, Mr. Harap?

Mr. HARAP. I was born in New York City in 1904.

Mr. TAVENNER. Where do you now reside?

Mr. HARAP. New York City.

Mr. TAVENNER. Have you lived in New York City the major part of your life?

Mr. HARAP. I would say the major part of my life; yes.

Mr. TAVENNER. Have you lived at any other place during the past 10 years, since 1945?

Mr. HARAP. Not since I have returned from the Army. I have been in New York all that time.

Mr. TAVENNER. During what period of time were you in the Army?

Mr. HARAP. From 1943 to 1945, August of both years.

Mr. TAVENNER. Did you have overseas service?

Mr. HARAP. Yes, I did.

Mr. TAVENNER. What is your profession, Mr. Harap?

Mr. HARAP. I am a writer and an editor.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been.

Mr. HARAP. I graduated from Ethical Culture School and High School in New York City, went on for a few years to Antioch College in Ohio, transferred——

Mr. TAVENNER. What period of time were you at Antioch College?

Mr. HARAP. 1922 to 1925. I transferred to Harvard University and received my bachelor's degree, my master's degree, and my Ph. D. in philosophy in 1932. That concludes——

Mr. TAVENNER. At Harvard?

Mr. HARAP. All at Harvard. That concludes my formal education.

Mr. TAVENNER. While at Harvard did you hold the position of instructor or any administrative position?

Mr. HARAP. Yes, I was librarian at the philosophy library for a period of 4 or 5 years there, I don't remember the exact period, up to 1939.

Mr. TAVENNER. Will you tell us again the exact period that you were at Harvard?

Mr. HARAP. You mean both as student and after completion of my formal training?

Mr. TAVENNER. Yes.

Mr. HARAP. 1925 to 1939. That is to say, I wasn't enrolled in the university all that time. I was either a student, research worker, or employed as I described a few minutes ago.

Mr. TAVENNER. What do you mean by research worker?

Mr. HARAP. I did research in philosophy and other things. That is one of my professions, so to speak.

Mr. TAVENNER. During the period of time that you were at Antioch College, were you aware of the existence there of an organized group of the Young Communist League?

Mr. HARAP. No. I was not.

Mr. TAVENNER. At Harvard University were you aware of the existence of an organized group of the Communist Party composed of instructors and others connected with the administration and teaching at Harvard?

Mr. HARAP. I have said before, before this committee, that I regard such questions as rather destructive of our democratic freedoms. I must decline to answer that question for the following reasons: First, I believe it infringes the first amendment—that is to say, I invoke the protection of the first amendment, which guarantees freedom of thought and expression and opinion—and I also invoke the fifth amendment, which protects a person from being a witness against himself, and I may say that the fifth amendment does not, of course, necessarily imply guilt. As a matter of fact, historically, the fifth amendment was designed quite precisely to protect the innocent.

Mr. TAVENNER. Mr. Harap, the committee received testimony from Dr. Robert G. Davis, who was an instructor at Harvard University during part of the period of time you have described, at the time when you were there. Dr. Davis told this committee frankly and fully about his own Communist Party membership at Harvard University, and what as far as he knew was the purpose of the Communist Party in its activity at Harvard.

In the course of his testimony, he stated that he was asked to go to a Communist Party meeting by either of 2 individuals, he was not certain which of the 2. Then this testimony took place:

Mr. TAVENNER. Were both of the persons which you have in mind persons known by you to be members of the Communist Party?

Mr. DAVIS. Yes.

Mr. TAVENNER. Then I will ask you to give the names of both of them.

Mr. DAVIS. Louis Harap.

Mr. TAVENNER. If you know what his subsequent connection was with the Communist Party I think, you should tell us. That is, if you know of your own knowledge whether he has remained in the Communist Party for any definite period of time, or whether he withdrew from the party at any time, I would like you to so state.

Mr. DAVIS. I have no firsthand knowledge. I have read writings by him in recent years which would suggest that his tendency had remained the same.

Mr. KEARNEY. Is he a professor at Harvard?

Mr. DAVIS. No; he was not. He was employed in a very minor capacity, I believe, as librarian, I believe, of the philosophy library.

Mr. KEARNEY. Is he still connected with that position?

Mr. DAVIS. No, he left Harvard many years ago.

Mr. KEARNEY. Do you know what he is doing now?

Mr. DAVIS. I believe he is editor of a magazine.

Mr. KEARNEY. Do you know the name of the magazine?

Mr. DAVIS. It is the Jewish Affairs, I believe, some such magazine.

Mr. KEARNEY. Is he the editor?

Mr. DAVIS. Yes; I think he is the editor.

Mr. KEARNEY. Do you know where that is published?

Mr. DAVIS. In New York.

Was Dr. Davis' testimony truthful insofar as it related to you?

Mr. HARAP. I have always thought that Dr. Davis' testimony was a great disservice to academic freedom in this country.

Mr. TAVENNER. Answer the question, please.

Mr. HARAP. But I shall decline to answer the question on the basis of the first and fifth amendments.

Mr. TAVENNER. Mr. Granville Hicks also testified before this committee at approximately the same time. I believe it was the next day. This testimony occurred:

Mr. TAVENNER. Do you recall an individual by the name of Louis Harap?

Mr. HICKS. Yes.

I should state Mr. Granville Hicks likewise testified that he had been a member of this same group of the Communist Party of which Dr. Davis was a member. I should add for the record here that both Dr. Davis and Mr. Granville Hicks testified that they left the Communist Party, and the reasons for it.

Mr. TAVENNER. What connection, if any, did he have with this Communist Party group?

Mr. HICKS. He was a member of the group.

Mr. TAVENNER. Will you tell how the directives or instructions from the Communist Party were transmitted to your group?

Mr. HICKS. My recollection is that they came in various ways. As a matter of fact, I have often carried them myself, since I had—I was carrying on a rather wide range of Communist propaganda activities, and therefore was likely to go into Phil Frankel's office, and he would tell me things he wished our group would discuss or would do. I think Harap also acted as a kind of go-between, and there may have been others. It was pretty informal in that particular year.

Is there anything about the testimony of Mr. Granville Hicks insofar as it relates to you which is in error?

Mr. HARAP. I decline to answer that question on the grounds previously stated.

Mr. TAVENNER. Were you a member of the Communist Party group at Harvard of which Dr. Davis and Mr. Granville Hicks were members?

Mr. HARAP. I decline to answer that question on grounds previously stated.

Mr. TAVENNER. Reference was made by Dr. Davis to your being the editor of a paper, of a magazine, known by the name of Jewish Life. I hand you the January 1953 issue of that publication and ask you to look on page 2 and state to the committee, who is shown to be the managing editor at that time.

(The witness consulted with his counsel.)

Mr. HARAP. You wish me to tell you what it says here?

Mr. TAVENNER. Yes.

Mr. HARAP. It says here Louis Harap, managing editor.

Mr. TAVENNER. I desire to introduce the frontispiece of this publication and page 2 in evidence and ask it be marked "Harap Exhibit No. 1" for identification only and to be made a part of the committee files.

Chairman WALTER. Mark it and let it be received.

Mr. TAVENNER. Were you the editor of Jewish Life in January 1953, as indicated by page 2 of the magazine marked "Harap Exhibit No. 1"?

Mr. HARAP. I think these questions are an infringement on freedom of the press, and I must decline to answer them on the basis of the first and fifth amendments.

Mr. WILLIS. I think he should be instructed to answer.

Chairman WALTER. I direct you to answer the question.

(The witness consulted with his counsel.)

Mr. HARAP. I decline to answer on the basis of the first and fifth amendments.

Mr. TAVENNER. Over how long a period of time were you managing editor of that magazine?

Mr. HARAP. I decline to answer on the same grounds.

Mr. WILLIS. I suggest he be directed to answer the question.

(The witness consulted with his counsel.)

Mr. HARAP. I decline to answer on the same grounds.

Mr. WILLIS. Are you now invoking the first amendment only?

Mr. HARAP. On the same grounds, sir, the first and fifth, both.

Mr. TAVENNER. Is it a fact to state, Mr Harap, that this magazine, Jewish Life, always followed and never differed with the interests of the Soviet Union even in cases where the interests of the Soviet Union were in conflict with the interests of the United States?

(The witness consulted with his counsel.)

Mr. HARAP. I would just like to say that this magazine, with which I am acquainted, is designed to further the interests of the Jewish people in all respects in connection with all affairs that touch upon the Jewish people. That is, as far as I can see, the purpose of this magazine.

Mr. TAVENNER. You are in a position to know what the purposes are, aren't you?

Mr. HARAP. I decline to answer that question on the basis of the first and the fifth amendments.

Mr. TAVENNER. Now, will you go back, please, and answer the question that I asked you.

(The witness consulted with his counsel.)

Mr. FORER. Will you repeat the question?

Mr. TAVENNER. Will you read the question, please?

(The pending question was read by the reporter.)

Mr. HARAP. The only way I can answer that is by saying the interests, from my knowledge of the magazine, my acquaintance with the magazine, that the interests of Jewish people and the masses of people in the United States were the prime interests that the magazine furthered, and that seems to me clear enough.

Mr. TAVENNER. Mr. Chairman, the answer is not at all responsive and may I ask for a direction?

Chairman WALTER. You are directed to answer the question.

(The witness consulted with his counsel.)

Mr. HARAP. I think this is a loaded question and I have stated that in my opinion the magazine was exclusively interested in furthering the interests of the Jewish people and of the people of the United States.

Mr. TAVENNER. That is the same answer.

(The witness consulted with his counsel.)

Chairman WALTER. Answer the question.

Mr. HARAP. Shall I say this? That in my view, I mean to say, my answer to this would be a flat "No."

Mr. TAVENNER. Were you on the editorial staff of Jewish Life as early as November 1946?

Mr. HARAP. I decline to answer on the basis of the first and the fifth.

Chairman WALTER. You decline to answer the question whether or not you were connected with that magazine?

Mr. HARAP. Yes, I do, on the basis of the first and the fifth.

Mr. TAVENNER. On May 3, 1950, a statement was made by John Williamson, national labor secretary of the Communist Party, and a member of its national committee, in which he was speaking for the party's national committee, referring to this paper, Jewish Life. The statement he made included the following:

The national committee—

referring to the national committee of the Communist Party—

takes note of the many activities that have been developed under the leadership of our party in the field of work among the Jewish people, of the continued popular support to the Morning Freiheit and its generally correct line, of the issuance of the magazine, Jewish Life, in English, of the devotion to the party of the comrades concerned. It is our judgment that greater efforts should be made to work among the English-speaking Jews, particularly the workers: the bourgeois concentrates special attention on these sections for the purpose of influencing the entire Jewish people with chauvinist nationalism, and jingoism, and winning their support for imperialist policies. Without neglecting the Yiddish-speaking population, the beginnings of work among the English-speaking Jews, made with the publication of Jewish Life, should be extended and organized activities initiated among them.

Did you collaborate with persons known to you to be members of the Communist Party in fixing the policy of Jewish Life?

Mr. HARAP. I decline to answer on the basis of the first and fifth.

Mr. TAVENNER. As a matter of fact, as indicated by this expression from Communist Party leadership itself, because Mr. Williamson was an outstanding member of the Communist Party, having been one of

those indicted and convicted under the Smith Act, is it not true to say that the publication of Jewish Life endeavored to extend and propagate the Communist Party line in this country?

Mr. HARAP. Jewish Life attempted to propagate a position, as far as I know, the magazine, on the line of working for the best interests of the Jewish people and the people of the United States.

Mr. TAVENNER. Will you answer my question?

Mr. HARAP. Would you repeat it, please?

Mr. TAVENNER. Please read him the question.

(The pending question was read by the reporter.)

(The witness consulted with his counsel.)

Mr. HARAP. I think the question is very vague. What could be meant by Communist Party line is very general and vague term that is loaded with all sorts of connotations, and so that I really don't see how I could answer the question, since the question actually is not precise.

Mr. TAVENNER. You know, do you not, whether or not this paper or this magazine is a publication which propagates the Communist Party line?

Mr. HARAP. I just indicated that that phrase "the Communist Party line" is one whose meaning is not clear.

Chairman WALTER. You know what the Communist Party line is right along, don't you?

Mr. HARAP. My question, Mr. Walter—that is to say, my unclarity. I am indicating unclarity as to the precise meaning of the question.

Chairman WALTER. I am trying to help you. You know what the Communist Party line is right along, don't you?

Mr. HARAP. But you are not clarifying the question, Mr. Walter, because my—

Chairman WALTER. Do you know what the Communists in the United States advocate from day to day?

(The witness consulted with his counsel.)

Mr. HARAP. Will you kindly repeat the question?

Chairman WALTER. Do you know what the Communist Party in the United States advocates from day to day?

Mr. HARAP. Well, that is a pretty big order. Sometimes, as one who reads the press, I know, I can't say I know what they advocate from day to day.

Chairman WALTER. In other words, you are trying to create the impression all you know is what you read about. Are you a member of the Communist Party?

Mr. HARAP. I decline to answer that question on the basis of the first and the fifth.

Mr. TAVENNER. Who were the owners of the magazine?

Mr. HARAP. I decline to answer that question on the basis of the first and the fifth.

Mr. TAVENNER. Who are the remaining members of the editorial staff at this time?

Mr. HARAP. I decline to answer that on the basis of the first and the fifth.

Mr. TAVENNER. Are you a member of the editorial staff or are you the managing editor at this time?

Mr. HARAP. I decline to answer on the basis of the first and fifth.

Mr. TAVENNER. Have you been active in connection with the Rosenberg case?

(The witness consulted with his counsel.)

Mr. HARAP. I would like to explain something that turned up yesterday in the hearing, because it is connected with the Rosenberg case.

Mr. TAVENNER. We are not——

Mr. HARAP. It is very relevant; if you wait to see what I have to say, you will see it is relevant.

Mr. TAVENNER. I will give you every opportunity.

(The witness consulted with his counsel.)

Mr. FORER. Could you clarify and particularize the question?

Mr. TAVENNER. Have you been active in work on behalf of the Rosenbergs?

(The witness consulted with his counsel.)

Mr. HARAP. The truth of the matter is that I was as a matter of fact, deeply interested in the Rosenberg case. I was very much concerned, very deeply concerned, that this grievous miscarriage of justice was in a sense depressing the reputation of our country, depressing the judicial processes of justice in this country, and I was very much interested in it for that reason.

Mr. TAVENNER. Now, did you——

Mr. HARAP. I am coming to that. Now, I wish I could say that I did a great deal to help forward the campaign for the Rosenbergs.

Mr. TAVENNER. Did you lend the assistance of Jewish Life to the support of the Rosenbergs?

Mr. HARAP. I decline to answer that on the basis of the first and the fifth.

Mr. TAVENNER. Did you write numerous articles published in that magazine in behalf of the Rosenbergs?

Mr. HARAP. I decline to answer on the basis of the first and fifth.

Mr. WILLIS. Did you write articles for any other magazine or newspaper on behalf of the Rosenbergs?

Mr. HARAP. I decline to answer that on the basis of the first and fifth.

Mr. TAVENNER. I hand you an original copy of the Daily People's World, issue of March 21, 1952, the whole page of which is devoted to an article which is headed "By Louis Harap," and the topic is anti-semitism in the Rosenberg spy case.

Mr. WILLIS. What magazine is that?

Mr. TAVENNER. Daily People's World. Will you state whether or not you wrote that article?

Mr. HARAP. I am familiar with this article, and I would say that substantially I endorse what it says there. However, I will invoke the first and the fifth as to your question.

Mr. TAVENNER. You are not willing to state whether it is an article that you prepared?

Mr. HARAP. I decline to answer on the basis of the first and fifth.

Mr. TAVENNER. Do you mean to indicate that the Daily People's World used the name Louis Harap without authority from you?

Mr. HARAP. I decline to answer on the basis of the first and fifth.

Mr. TAVENNER. Actually, you wrote extensively, charging that the trials were anti-Semitic, did you not?

Mr. HARAP. I decline to answer on the basis of the first and fifth.

MR. TAVENNER. The committee for justice to the Rosenbergs picked that up and broadcast it in their literature throughout the country, did it not?

MR. HARAP. Picked what up?

MR. TAVENNER. Your charge against the courts of this country that the prosecution was an anti-Semitic affair.

(The witness consulted with his counsel.)

MR. HARAP. I think, Mr. Tavenner, you have made a misstatement.

MR. TAVENNER. In what respect?

MR. HARAP. In this respect. The article that you have before you did not initiate the charge of anti-Semitism in the Rosenberg case. As a matter of fact, that charge was initiated in the anti-Communist Yiddish press and English Jewish press in this country, and that can be amply documented, April 12, 1952.

MR. TAVENNER. I didn't say you initiated it.

MR. FORER. You said "your"—

MR. TAVENNER. I said your charge was picked up and broadcast over the country through the press.

MR. FORER. He is explaining it wasn't his charge.

MR. HARAP. You seem to be saying that the charge made in that article was the charge of antisemitism in the Rosenberg case and I am claiming that is erroneous.

MR. TAVENNER. That is what I am asking.

MR. HARAP. I was explaining it was not, that this article didn't make that charge initially, it simply carried forward—that is to say, it simply reported that this charge had been made. It reported, it did more than that, but it reported that this charge had been made in the anti-Communist Yiddish press and in the English Jewish press within 2 weeks after the conviction of the Rosenbergs.

MR. TAVENNER. You made that charge yourself, didn't you?

MR. HARAP. I decline to answer on the basis of the first and fifth.

MR. TAVENNER. I thought so. Actually, the fact sheet that was put out by the National Committee To Secure Justice in the Rosenberg Case quotes you on that subject, doesn't it? Let me read it to you:

Louis Harap, managing editor of Jewish Life, in January 1952: "It has been said that no antisemitism intruded into the trial itself. But this is to overlook the fact that Irving Saypol, the Jewish prosecutor, did not permit a single Jew, of the 300 jurors in the panel, to sit on the jury."

You made that statement, didn't you?

MR. HARAP. I decline to answer on the basis of the first and fifth.

MR. TAVENNER. You did make a charge, didn't you, if you are unwilling to make it now, you did make a charge of antisemitism which was picked up and spread, broadcast over this country by this national Rosenberg committee?

MR. HARAP. I decline to answer on the basis of the first and fifth.

MR. TAVENNER. You knew it was absolutely false, didn't you?

MR. HARAP. If you are asking me my opinion of the—of the presence of antisemitism in some respect—and I can indicate the precise respect—

MR. TAVENNER. Don't get away from my question.

MR. HARAP. I am not. I am answering your question precisely, and I don't want you to say that I said certain things which I did not say.

MR. TAVENNER. Do you deny making that statement attributed to you?

Mr. FORER. That is not the question.

Mr. TAVENNER. Just a moment. Don't interfere, please.

Do you deny making this statement?

Mr. HARAP. I invoke the first and the fifth.

Mr. TAVENNER. You don't deny it, then, my statement to you.

Mr. HARAP. I would like to answer the question.

Mr. TAVENNER. My question to you is: Didn't you know that what I have quoted as your having said is absolutely false and that it is untrue?

Mr. HARAP. If you are asking me whether what you read was absolutely untrue, I would say in my opinion it is not.

Mr. TAVENNER. So you think it is true, actually?

Mr. HARAP. I think that it could be, it could be maintained. There are very strong arguments to support that view.

Mr. TAVENNER. You know, as a matter of fact, that it was absolutely untruthful to say that Irving Saypol did not permit a single Jew to sit on the panel. You know that, don't you?

Mr. HARAP. I know this: That in the book by John Wexley, the judgment—

Mr. TAVENNER. Answer my question.

Mr. HARAP. I am answering your question.

Chairman WALTER. Let me tell you something. The only Jew who was selected for that jury was challenged peremptorily by Bloch, the defendant's lawyer. That is why there were no Jews on the jury. The defendants' own lawyer kept them off.

Mr. HARAP. According to the account in Wexley's book—

Chairman WALTER. He is another Communist, and I don't care what he said. I am telling you the fact.

Mr. HARAP. If anyone has the book—

Chairman WALTER. I am telling you the fact according to the record, which I saw myself.

Mr. HARAP. Mr. Wexley's facts are drawn from the record.

Mr. TAVENNER. As a matter of fact, that book was published in 1955, wasn't it?

Mr. HARAP. Wexley's?

Mr. TAVENNER. Yes.

Mr. HARAP. Yes.

Mr. TAVENNER. This statement was made, attributed to you, on October 14, 1952; so you didn't read Wexley's book in connection with this statement. You are trying to deceive this committee.

Mr. HARAP. I am not. All I said before was that in my opinion, I was not referring to the statement you read.

I was referring to it only as the substance of what it said. Now, truth is eternal. If what Mr. Wexley said in 1955 is true, it was also true in 1952.

Mr. TAVENNER. My question to you was whether or not when this statement was made back in 1952 you knew that it was false. When the statement was made that the prosecuting attorney did not permit a single Jew to sit on the jury.

(The witness consulted with his counsel.)

Mr. HARAP. To the best of my knowledge, in 1952, that statement was true, and to the best of my knowledge, that statement is still true. I categorically deny—and incidentally, I resent the implications of

your stating that I deliberately endorse falsehoods. I do not do that, and therefore I categorically deny that I believed that statement to be true, rather, false, in 1952, 1953, 1954, 1955 et cetera.

Mr. TAVENNER. You knew, as a matter of fact, that there were 10 Jews on the panel who were excused at their own request. You knew that there was not a challenge made either in the way of peremptory challenge or for cause in the prosecution in that case?

Mr. HARAP. You are asking questions about details, and so on, which I can't say I knew or didn't know. It was some time ago when that statement was written and I——

Mr. TAVENNER. Then why would you make such a damaging statement as that without having knowledge?

Mr. HARAP. All that I am saying is that I believed that statement was true in 1952. That is all I say.

Mr. TAVENNER. Didn't you make that statement just for propaganda purposes?

Mr. HARAP. When I say or write anything, I don't do it for propaganda purposes. I do it in order to propagate the truth, and in that sense to propagate the truth, in that sense I do write and say propaganda in order to further the truth.

Mr. TAVENNER. Now, in that same fact sheet which quoted the statement attributed to you is another statement designed to raise racial and religious issues. It is as follows:

Phineas J. Biron, syndicated English-Jewish columnist, in the Indianapolis Jewish Chronicle (March 7, 1952): " * * * not a single member was Jewish and this in the city of New York, which has a Jewish population amounting to one-third of the total population * * * strange, or rather sinister, if you ask us."

That is a statement along the same general lines as the one attributed to you. Who is Phineas J. Biron?

Mr. HARAP. I decline to answer on the basis of the first and the fifth.

Mr. TAVENNER. Do you know Phineas J. Biron?

Mr. HARAP. I decline to answer on the basis of the first and the fifth.

Mr. TAVENNER. Did Phineas J. Biron have any official connection with the National Committee To Secure Justice in the Rosenberg Case?

Mr. HARAP. I decline to answer on the basis of the first and the fifth.

Mr. TAVENNER. As a matter of fact, isn't he the same person as Joseph Brainin, the chairman of the committee?

Mr. HARAP. I decline to answer on the basis of the first and the fifth.

Mr. TAVENNER. It was very much to the interest of the Communist Party, was it not, to raise issues of that type, issues of prejudice, both racial and religious, in order that it may capitalize on those issues? (The witness consulted with his counsel.)

Mr. HARAP. Is the question: Do I know whether it was to the interest of the Communist Party——

Mr. TAVENNER. Read the question.

(The pending question was read by the reporter.)

(The witness consulted with his counsel.)

Mr. HARAP. Are you asking whether to my knowledge it is true that the Communist Party capitalizes on such things?

Mr. TAVENNER. Yes. Let's put it just that way.

Mr. HARAP. Whether it is true?

Mr. TAVENNER. Yes.

Mr. HARAP. To my knowledge, you mean?

Mr. TAVENNER. As far as you know.

Mr. HARAP. As far as I know, I have no knowledge of that.

Mr. TAVENNER. You have no knowledge?

Mr. HARAP. No knowledge whatever of that, that it is true that the Communist Party capitalizes on such things, no.

Chairman WALTER. Let me read you something which might be of interest to you, taken from the paper in January 1953, datelined London:

Left-wing laborite, Sydney Silverman, told the World Jewish Congress last night that Communists are stupid for accusing the United States for anti-Semitism in the trial of doomed atom spies Julius and Ethel Rosenberg. Quoting Silverman, "The judge, both defendants, both prosecuting and defense attorneys all were Jews. It would be stupid to deduce it was an anti-Semitic trial." Silverman challenged the Czechoslovakia Government, on the other hand, to prove that its recent purge trial of Rudolph Slansky and other Zionist leaders was not anti-Semitic.

Mr. HARAP. Is that a question?

Chairman WALTER. I thought it would be of interest to you.

Mr. HARAP. Would Mr. Silverman's opinion be of interest?

Mr. FORER. He has not asked a question.

Mr. TAVENNER. Now, as a matter of fact, as a result of these charges being disseminated by the National Committee To Secure Justice in the Rosenberg Case, part of which it appears you were responsible for as they quoted you, and also the chairman of their own committee under another name, it was found necessary for the Jewish community to speak out on this subject. We find that on May 13, 1952, the National Community Relations Advisory Council, speaking on behalf of the American Jewish Committee and the Anti-Defamation League of B'nai B'rith and American Jewish Congress, the Jewish War Veterans of the United States, the Jewish Labor Committee, and the Union of American Hebrew Congregations, as well as the local Jewish community relations agencies, all the great organizations within that area, issued the following statement, which pinpoints the whole thing and nails it down for what it is, and this is what they said:

Any group of American citizens has a right to express its views as to the severity of the sentence in any criminal case. Attempts are being made, however, by Communist-inspired group called the National Committee To Secure Justice in the Rosenberg Case to inject the false issue of anti-Semitism into the Rosenberg case. We condemn these efforts to mislead the people of this country by unsupported charges that the religious ancestry of the defendants was a factor in this case. We denounce that fraudulent effort to confuse and manipulate public opinion for ulterior political purposes.

I want to call your attention——

Mr. HARAP. There are some inaccuracies in that statement, Mr. Tavenner.

Mr. TAVENNER. What is the inaccuracy?

Mr. HARAP. If you let me see it——

Mr. TAVENNER. Is it inaccurate to say that those organizations took a position against the view that you expressed?

Mr. HARAP. I wasn't saying that, but the statement itself, in the statement itself, if you let me see it just a moment, the thought has flown from my head, but as you were reading it, it seemed to me there was some—I am sorry. I don't remember it precisely. So I can't——

Mr. TAVENNER. Shall I read it over to you?

Chairman WALTER. Proceed.

Mr. TAVENNER. I want to call to your attention a document that was disseminated in the area of Milwaukee, and this was gotten out by John Gilman, who was a witness here before this committee. John Gilman was head of the Civil Rights organization in Milwaukee and chairman of the local Rosenberg committee.

On the front page it contains an open letter to the President on the subject. On the back page is a quotation from the Wisconsin Jewish Chronicle. I think most certainly that the publisher of this document didn't realize what he was publishing. It is true that the document contains argument against the imposition of the extreme penalty, but the paragraph he didn't know was in it when he published it is this, and I want to read it to you:

At the outset let us repeat, as we have said previously in comment on the Rosenberg case, it is not a Jewish case. The Communists have raised it as an issue, but it is strictly a phony. Traitorous conduct, whether by Jews or Christians, is despicable and reprehensible, and we have no sympathy for anyone who has defiled himself by spying for an enemy country.

Mr. HARAP. The intention was, it was an anti-Semitic case, but that the death penalty, the heart of the charge of anti-Semitism, the death penalty was imposed by Judge Kaufman as a kind of reverse anti-Semitism on account of the fact that the defendants and the judge were Jews and that in his view made it necessary for him to emphasize his 150 percent Americanism in order to avoid charges against the Jews in this case.

The anti-Semitism rests on the fact that Judge Kaufman leaned over backward, as Rabbi G. George Fox of the Chicago Sentinel said, in imposing this sentence, and Dr. Fox says anti-Semites would be anti-Semites no matter whether—

Mr. TAVENNER. You persist in taking the same position as that which I described to you in the quotation from you on the fact sheet.

Mr. HARAP. I persist in taking the position that in some sense anti-Semitism in this reverse sense, in relation to Judge Kaufman, was involved in the case. Naturally, the brunt of the case was not anti-Semitism, but a frameup against two innocent individuals who happened to be Jews, and from that ensued certain anti-Semitic implications.

Mr. TAVENNER. I desire to offer in evidence the fact sheet referred to and ask it be marked "Harap Exhibit No. 2" and to be incorporated in the transcript of the record.)

Chairman WALTER. It will be marked and received.

(Harap exhibit No. 2 is as follows:)

NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE.

246 Fifth Avenue, New York, N. Y.

A FACT SHEET ON ANTI-SEMITISM IN THE CASE: NEWSPAPER COMMENT

Did anti-Semitism play a part in the case of Ethel and Julius Rosenberg and Morton Sobell (the Rosenbergs were sentenced to death, Sobell to 30 years for alleged atomic espionage)? The following newspaper comment, mainly from the Yiddish and the English-Jewish press, helps answer this question.

Although the following extract from the NEW YORK TIMES (December 26, 1951) does not refer directly to the case, it is relevant: "Oak Ridge, Tenn., Dec. 25 (UP).—The Government said today it was less concerned about Communists and saboteurs than about hoodlums * * * United States law enforcement officials

gave two reasons for the apparent absence of Communists here: (1) a predominance of pure Anglo-Saxon stock * * *

Rabbi G. George Fox in the SENTINEL: Chicago English Jewish weekly (Feb. 7, 1952): " * * * When Julius and Ethel Rosenberg were condemned to death for allegedly giving secret information to enemy spies, I condemned the verdict and accused the presiding judge, who happened to be a Jew, of leaning over backward in his desire to show that Jews condemn treason * * * (His decision) will be found unjust, if not illegal * * * I believe strongly that a grassroots letter and telegram protest to President Truman will get those who are moved by the injustice of the decision, to some action." (Feb. 14, 1952): "The Jewish angle is important as a matter of our public relations. The death of the Rosenbergs for treason, even though undeserved, will give our enemies a handle to a paddle which will never be out of use. Let us avoid such a possibility."

Rabbi Louis D. Gross, publisher of the JEWISH EXAMINER (March 14, 1952): "After plowing through volumes of the evidence presented in this tragic case, I am not convinced beyond the shadow of a doubt, that the Rosenbergs are guilty * * * It is quite possible, and very disturbing, to feel that the hapless Rosenberg couple may have been victimized by the anti-Communist hysteria which has been sweeping this country with deadly effect * * * Why did Judge Kaufman in this case impose the extreme penalty? * * * Did he think the death sentences against the Rosenbergs was necessary to counteract the anti-Semitic charge of Communism against Jews in general? Apparently this jurist has not learned that anti-Semitism has nothing to do with the truth."

JEWISH DAILY FORWARD (April 6, 1951): "When we editors got the news that Julius and Ethel Rosenberg were sentenced to death, a shudder passed through all of us * * * We are certain that every Jew who read this sad news felt this way. From our hearts came the words, 'Death sentence, too horrible' * * * Every Jewish home will be shattered by this tragedy."

THE JEWISH DAY, editorial (April 8, 1951): "Judge Kaufman's verdict is more in harmony with the time in which we live at present than with the time during which the crime was committed. We hope that a way will be found to set aside the death sentence."

Phineas J. Biron, Syndicated English-Jewish columnist, in the INDIANAPOLIS JEWISH CHRONICLE (March 7, 1952): " * * * Not a single jury member was Jewish and this in the city of New York, which has a Jewish population amounting to one-third of the total population * * * Strange, or rather sinister, if you ask us." (November 9, 1951): "It is not for us to decide whether the Rosenbergs are guilty, but from what we have read of the legal proceedings we have come to the conclusion that more than reasonable doubt exists as to their guilt."

Samuel B. Gach, publisher of the CALIFORNIA JEWISH VOICE (February 29, 1952): "My only concern was why a Jewish judge had to * * * decide a death penalty for peacetime espionage and so scribble a shameful precedent on the pages of American jurisprudence. It could only have been because the legal killer, Judge Irving Kaufman, is a Jew, and the defendants were Jews; and to prove that he was unbiased, he acquiesced to legal murder in the time of national hysteria and only because the berobed and politically anointed 'punk' was a scared and synthetic American and a weaker than no-good Jew * * * I abhor the death sentence and despise the judge who proclaimed it." (March 7, 1952) (In reply to criticism for his position on the case): "Was Judge Kaufman in full command of his emotional balance when he passed sentence? Are any of us vaccinated against the witch-hunting hysteria? * * *" (March 14, 1952): "The domestic Hitlers and anti-Semites will wield the degradation of the Rosenbergs as a cudgel with which to bludgeon ALL Jews * * * We shall continue NOT to be silent."

M. Danzis, then Editor, in the JEWISH DAY (April 12, 1951): "The death sentence which Judge Kaufman passed on the Rosenbergs left bitter doubts as to the justice of the verdict and above all, about the note which the judge sounded in his summary before the jury. * * * The fact is, that the Rosenberg trial was Jewish throughout because of the fact that the accused, the judge, the prosecutor, and the lawyer were all Jewish. The press made a point of it. In Hearst's Daily Mirror there was an editorial saying that those who do not wish to accense all Jews of Communism because of the Rosenbergs, should not forget that the prosecutor who conducted the trial against the Rosenbergs, and the judge who condemned them to death, are themselves Jewish. In other words, that Judge Kaufman and prosecutor Saypol are atoning not only for the sins of the Rosenbergs, but of all other Jews."

"The death sentence which Judge Kaufman issued left the feeling that precisely because he is a Jew, he went to an extreme and applied the heavy hand of judgment. * * * There is a suspicion that the fact that Judge Kaufman is a Jew perhaps unconsciously motivated him to issue a verdict which, in the opinion of many, is considered to be unjust and brutal. * * * One cannot overlook the Jewish element in this unfortunate, tragic Rosenberg trial * * * if the Rosenbergs are, as Judge Kaufman has said, guilty of the death of 50,000 American soldiers in Korea, one can easily hold the Rosenbergs and their like responsible for the atom war against America.

"Has Judge Kaufman considered to what his speech can lead?"

H. Leivik, well-known Yiddish poet, in the JEWISH DAY (April 16, 1951): "What led the judge to give the extreme penalty (to Ethel Rosenberg)? Is it not perhaps the fact that the judge is a Jew and the defendants are Jews? The judge was confronted with the bitter fact that those tried for treason were Jews. He, himself, a Jew, struggled with his duty to be objective and did not have the strength to rise above himself, did not have the power to free himself from today's heated tensions in the land, and was also afraid that perhaps, if he were not to give them the death penalty, he would be suspected of not having done so because he is a Jew. * * * Precisely because against the accused Jews stood Jewish accusers and a Jewish judge, whose loyalty to America is beyond a shadow of a doubt—precisely because the judge should have been free from every Jewish complex—he should under no circumstances have issued the death sentence in this trial against the mother of two children. * * * It is hard to accept the severity of the verdict. * * * The death penalty should be changed."

Louis Harap, Managing Editor of JEWISH LIFE (January 1952): "It has been said that no anti-Semitism intruded into the trial itself. But this is to overlook the fact that Irving Saypol, the Jewish prosecutor, did not permit a single Jew, of the three hundred jurors in the panel, to sit on the jury. * * * Irving Saypol, as is now widely known, was admonished by the Court of Appeals in August 1951, for his appeals to 'racial prejudice' against a Jewish witness in the Remington case."

In an article in the CANADIAN JEWISH WEEKLY (February 28, 1952): "A study of the details of the case shows that it will go down in history as a parallel to the Dreyfus case—and the Sacco-Vanzetti case."

For additional material and inquiries, write to NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE, 246 Fifth Avenue, New York, N. Y.

MR. TAVENNER. Now, you said you desired to explain a matter which came up yesterday. I exhibited to a witness a document signed by you under oath which I now have before me which reads as follows. This is in connection with the authorized signature card which was given to the bank on November 8, 1951. It concludes with this language:

We further certify that the present officers of said association and the offices respectively held by them are as follows. Louis Harap, president.

MR. FORER. May we look at it?

MR. TAVENNER. Yes, sir.

In witness whereof, we have hereunto set our hands as president and secretary respectively of the said association and affixed the seal of said association this blank day of blank—

the date does not appear, signed.

Louis Harap, president, William A. Reuben, provisional chairman, and this is stamped apparently by the bank appearing over it.

Will you examine it, please, and state whether or not you signed the document [handling document to witness].

MR. FORER. This is not a sworn document.

MR. TAVENNER. No, sir. I thought it was a notary stamp, but it is apparently a stamp from the bank, but it is a certificate.

Mr. HARAP. Yes, I did sign that. In that connection I wanted to explain the situation. I, of course, was interested in the case, and when Emily Alman asked me to sign this document, which would make it possible for the committee to open a bank account, I was willing to do that. I was never in any sense thought of, never thought of myself as president, acted as president, or anything like that. It was simply a formal technical bank requirement which I helped her to fulfill.

Mr. TAVENNER. Do you think the bank required you to make a statement, a certification, that was false?

Mr. HARAP. I didn't say false, but it is one of these technical formal things. I was sort of president of a bank account, or something like that, purely technical.

Mr. TAVENNER. You were accepted as president of this organization?

Mr. HARAP. No. As I say, I never acted as president. I never, I didn't consider myself as president. It was simply adding my name to a formal bank statement in order to enable the committee to get a bank account, and that was all there was to it.

Mr. TAVENNER. Did you sign any other papers?

Mr. HARAP. To my knowledge, I don't—what do you mean, other papers of what kind?

Mr. TAVENNER. Of any kind as president of the organization.

Mr. HARAP. To my knowledge, I never signed any other papers.

Mr. TAVENNER. Than the one before you?

Mr. HARAP. Than the one before me.

Mr. TAVENNER. What about this one, bearing date of March 12, 1952, in which you certify again that the present officers of said association and the offices respectively held by them are as follows: Louis Harap, president; Joseph Brainin, chairman; Emily Alman, treasurer.

Mr. HARAP. Is this one dated, this first one, is it dated?

Mr. TAVENNER. Filed with the signature cards.

(The witness consulted with his counsel.)

Mr. HARAP. You see, I believe you said the first document was not dated?

Mr. TAVENNER. That is right.

Mr. HARAP. I believe that probably these were duplicates, which were signed at the same time, one dated and the other not, but—

Mr. TAVENNER. It was necessary to attach the certificate to the card authorizing the signatures, wasn't it?

Mr. HARAP. Yes.

Mr. TAVENNER. Is that the reason for it?

Mr. HARAP. That is right.

Mr. TAVENNER. Look at the date upon which the first card was received. Isn't it printed or stamped on it November 8, 1951?

(The witness consulted with his counsel.)

Mr. HARAP. Yes; that is so.

Mr. TAVENNER. That is attached to the first certificate?

Mr. HARAP. Yes.

Mr. TAVENNER. Look at the card on the second certificate and see what date it is.

(The witness consulted with his counsel.)

Mr. HARAP. November 5, 1954, and this is November——

Mr. TAVENNER. That was when the account was closed?

Mr. FORER. They have several stamps.

Mr. TAVENNER. One stamp says it is the date the account was closed. It is the other side.

Mr. FORER. On this side there is a date in 1952 on the top here, two dates here.

Mr. TAVENNER. That is right.

Mr. FORER. I am not talking about the closing date.

Mr. TAVENNER. Let the witness testify.

Mr. HARAP. This is a technical matter of reading a technical document.

Mr. TAVENNER. You can see as well as your attorney can see, and it is your testimony.

Mr. HARAP. I will have to change my glasses.

Mr. TAVENNER. I think you should.

(The witness consulted with his counsel.)

Mr. HARAP. I see March 17, 1952. If that is the date, and I did sign it, then that is the case.

Mr. TAVENNER. You signed two of them?

Mr. HARAP. Apparently so. Believe me, I have no recollection, but I must have signed it.

Mr. TAVENNER. You took the position that one of those certificates was a duplicate of the other. Do you continue to take that position?

Mr. HARAP. No, I don't, because, as I say, I don't recollect. I recollect vaguely having signed it once, but that is the only thing I recollect.

Now, if it were necessary to sign again, naturally I would have done so. I simply have no recollection of it. The fact that I have no recollection of it attests to the fact that it was simply a purely formal matter which was a technical bank requirement and was no more than that in de facto.

Chairman WALTER. What is a technical bank requirement?

Mr. HARAP. A certain number of signatures for a bank account, as far as I know, a certain number of signatures to fulfill the requirements to open up a bank account. That is all.

Mr. TAVENNER. How did it happen that you were chosen for that position?

Mr. HARAP. As president?

Mr. TAVENNER. Yes.

Mr. HARAP. I think it was because perhaps that was the only blank that was vacant, not signed by somebody else.

Mr. TAVENNER. Who chose you for it, the treasurer, Mrs. Alman?

Mr. HARAP. She didn't choose me. She needed one more signature, so she asked me to sign it. I will tell you something.

Mr. TAVENNER. How long have you known Mrs. Alman?

Mr. HARAP. I will tell you——

Chairman WALTER. You have been asked a question. How long have you known Mrs. Alman?

Mr. HARAP. I don't recall, but I was not aware of the fact——

Chairman WALTER. Five years?

Mr. HARAP. I really don't recall.

Chairman WALTER. Six years?

Mr. HARAP. I don't recall.

Chairman WALTER. Seven years?

Mr. HARAP. I was not aware of the fact that—

Chairman WALTER. How long have you known her?

Mr. HARAP. I really don't recall, Mr. Walter.

Chairman WALTER. You certainly recall 'way back there.

Mr. HARAP. Yes; naturally at that time I knew her.

Chairman WALTER. This unimportant matter, you recall about that. Now certainly, how long before you signed your name, for what reason I don't know—

Mr. HARAP. My recollection is that it was a fairly short time. I really don't recollect how long a time it was, before I signed this, that I met Mrs. Alman for the first time.

Chairman WALTER. You only knew her casually?

Mr. HARAP. I didn't know her very well.

Chairman WALTER. Didn't you ask her why she would ask you, a comparative stranger, to join with her in a bank account involving \$300,000 plus?

Mr. HARAP. At that time, Mr. Walter, there was hardly \$300,000 involved.

Mr. TAVENNER. In 1952?

Mr. HARAP. Yes. There was not much. I don't know how much, but it was a very insignificant amount.

Mr. TAVENNER. What was your opportunity for knowing how much money there was?

(The witness consulted with his counsel.)

Mr. FORER. What is the question?

Mr. TAVENNER. My question is, You were talking about how much money was there, so you must have known right much about the business, then.

Mr. HARAP. No; except that it was at the very opening of the operations of the Rosenberg committee, and they were having a very hard go of it to exist, so that it stands to reason, and this fact of course can be ascertained.

Mr. TAVENNER. You are not speaking of knowledge, but just of reason?

Mr. HARAP. I say this fact can easily be ascertained by seeing how much was deposited. I don't know how much but in opening the account you can ascertain it. You probably know it.

Mr. TAVENNER. Were you a member of the Communist Party during the period of time that you held the position as president of this organization?

Mr. HARAP. I decline to answer on the basis of the first and fifth.

Mr. TAVENNER. Your occupation, you say, has been that of a writer. You have refused to testify as to what position you held with the Jewish Life or what its policies were.

Mr. HARAP. I did say, correction, that the policy of Jewish Life, as far as I know, is to further the interests of the Jewish people, and all of the people of the United States, the best interests.

Mr. TAVENNER. But you did know about its carrying the Communist Party line, being dedicated to that purpose?

(The witness consulted with his counsel.)

Mr. HARAP. Did I say that?

MR. TAVENNER. That is what I understood you didn't know.

MR. FORER. He said he didn't know what you were talking about.

MR. TAVENNER. Let me see if you know what I am talking about now.

You were aware that Jewish organizations condemned Jewish Life as a Communist-controlled organization?

MR. HARAP. As a Communist—well——

MR. TAVENNER. You know that, do you not?

MR. HARAP. I am aware of the fact that Jewish organizations have said uncomplimentary things about Jewish Life from time to time.

MR. TAVENNER. Confine yourself to my question.

MR. HARAP. They may very well have said that.

MR. TAVENNER. You know that?

MR. HARAP. They may very well have.

Chairman WALTER. What did they say that was uncomplimentary?

MR. HARAP. I can't just out of the top of my head——

Chairman WALTER. They said it was Communist, didn't they?

MR. HARAP. Did they?

Chairman WALTER. Do you regard that as being uncomplimentary?

MR. HARAP. I mean from their point of view.

MR. TAVENNER. But not from your point of view?

MR. HARAP. The point is, this is a smear, that is to say the labeling of a publication is a smear. If they had discussed articles and material published in the magazine in substance——

Chairman WALTER. What is a smear, to bring the name of the magazine here?

MR. HARAP. No, to label the magazine anything without discussing substantive articles published in the magazine is a smear, because the characterization of the magazine derives from what it publishes, and from what it says, and Jewish Life to my best knowledge has very faithfully pursued the best interests of the Jewish people and of the people of the United States.

Chairman WALTER. I would like to straighten out something in the record. A great attempt was made for several days to create the impression that the Pope of Rome interceded on behalf of these people. I have just had handed to me the letter from the Apostolic Delegate to Sherman Adams, February 13, 1953:

I am directed by the Holy See to inform the competent United States authorities that many new demands are being received at the Vatican urging the Holy Father to intervene for clemency in behalf of the Rosenbergs. I would be most grateful if you will kindly notify this to the President.

That is a custom of long standing, and by no stretch of the imagination constitutes any kind of a plea.

MR. HARAP. I doubt whether the Pope would have had that issued if they did not believe——

Chairman WALTER. Never mind, I am not asking you to comment. I do not care about your views on anything, understand that? Proceed Mr. Tavenner.

MR. TAVENNER. Mr. Chairman, I have no further questions to ask the witness.

(Whereupon the witness was excused.)

Chairman WALTER. These hearings will stand in recess pending the further inquiry into additional activities in which the staff is now engaged . The committee is adjourned for today.

(Whereupon, at 2 : 35 p. m., Friday, August 5, 1955, the hearing was adjourned subject to call of the Chair.)

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